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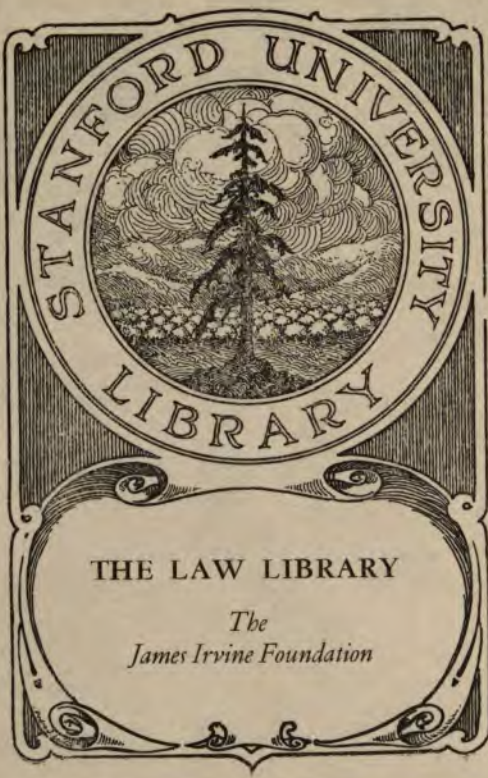
LINDER'S

Reminiscences



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REMINISCENCES

OF THE

EARLY BENCH AND BAR

OF ILLINOIS.

BY

GENERAL USHER F. LINDER.

WITH AN INTRODUCTION AND APPENDIX

BY THE

HON. JOSEPH GILLESPIE.

CHICAGO:
THE CHICAGO LEGAL NEWS COMPANY.

1879.

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EXPLANATORY NOTE.

General Usher F. Linder commenced his Reminiscences in December, 1874, and completed them in March, 1876.

He died on the fifth day of June, 1876, in the city of Chicago, and was buried in Graceland cemetery.

Mrs. Linder survived him but a short time, and departed this life on the 14th day of July, 1877.

General Linder had seven children, two of whom died in infancy. The remaining five, Mrs. Rosa A. Wilkinson, Mrs. Lillie A. Galliger, Daniel W. Linder, a member of the Chicago Bar, Usher F. Linder, and Eugene B. Linder, are now living in Chicago.

James B. Bradwell.

March 10, 1879.

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INTRODUCTION.

It is perfectly natural, at least it has always been, from the dawn of creation, and will doubtless be (as Governor Reynolds used to say, "till eternity in the afternoon") the case that people will reverence the past and desire to be fully posted as to the men and the events of by-gone periods; and this is particularly the case in reference to what are called the "transition periods" in the history of a people. Illinois has, within the last forty years, been passing through that period. Forty years ago she had not to exceed 140,000 inhabitants, and not a mile of railroad; now she has a population of at least 3,000,000, and more miles of railroad than any other State in the Union. She produces more of the means of subsistence than any territory of equal extent in America.

In 1838, she was in debt more than $18,000,000. She has paid, to the uttermost farthing, that debt, principal and interest, with the exception of a small sum—not yet due—but which she could this day discharge without occasioning the slightest embarrassment. She is in receipt from the Illinois Central railroad of an annual stipend, varying between half and three-quarters of a million of dollars—enough almost to run the State government. She has cut no mean or inconsiderable figure in the political history of the country. In 1860, she furnished the two most prominent candidates for the Presidency; one of whom (Mr. Lincoln) was elected to

two terms. General Grant, another of her citizens, was chosen as President for two terms. Lincoln and Douglas were the acknowledged representatives of the Republican and Democratic parties throughout the Union. Of her sons, more than 259,000 enlisted in the Union army, besides thousands who joined the Confederates.

Of the character and integrity of her public men; of the prowess of her sons on the battlefield; and last, though not least, of the prevalence among her people of the desire for a reconciliation and complete restoration of the era of fraternal good-will and mutual friendship with the people with whom we were so recently engaged in deadly strife, Illinoisans have reason to be proud. These astonishing results are owing, in some degree, to the men who have shaped and moulded public opinion amongst us; and our people have a very great desire to know all about these "Fathers of the Land." Although it was my privilege to be personally acquainted with most of the men who have given tone to Illinois affairs, I have been grieved to think how little concerning them would be rescued from oblivion, and how insignificant would be the knowledge of posterity of the men who had shaped the destinies of Illinois.

I had been many times appealed to of late to jot down my reminiscences of the times and men of our early days in this State. I felt my own unfitness for the task, and feared that no one having the experience and ability to do justice to the occasion could be found. I despaired of its accomplishment. I had fixed my mind upon USHER F. LINDER as the man, above all others, whose abilities and opportunities enabled him to portray the men and incidents of the past of our State with the most exact fidelity and precision; but I had no intimation or expectation that he had attempted, or would attempt the

task, until I was most agreeably surprised, a short time since, by receiving a note from his son, informing me that his father had prepared memoirs or reminiscences of the early times in Illinois, and desiring me to furnish an introductory chapter. Under any other circumstances, I would have declined the task, for I feel assured that book-making is not my *forte*, and my foes might exultingly exclaim, in the language of Job, "Oh that mine enemy would write a book!" I determined, however, let the consequences to me be what they might, to comply with the young man's request, and contribute my mite to bring forth the "Memoirs."

I believe I was as well acquainted with General Linder, and admired him as much as any living man. We became acquainted in 1836 or 1837, and for years rode the "Circuit," and practiced law together; and, so far as I know, the most cordial relations subsisted between us. We co-operated (as he states in his "Memoirs") in the General Assembly to influence legislative action on the subject of railroads, and I feel fully justified in saying that it was mainly owing to his transcendent abilities that Illinois now has three railroads running across the central portion of the State, when, if his policy had not prevailed, we would have had but one. He, and the men who co-operated with him, likewise risked their reputation in stamping upon the charter of the Illinois Central railroad the *taxation* feature. He, it is true, could not accomplish this object in the House (of which he was a member), but it was done in the Senate, where his influence was potential. Had the stand not been then taken, such was the frenzy for railroads amongst our people that most of the charters would have passed exempting railroad property, virtually, from taxation.

General Linder was pre-eminently fitted for describing

the incidents connected with the lives and characters of the men who figured in early times in our State. In the first place, his acquaintance was more extensive than that of any other man I knew, except Douglas and Lincoln. His practice as a lawyer was wide-spread, and led him into all parts of the State. Then, he had a faculty of becoming acquainted with, and of finding out all about other people, that was unequalled. His memory was retentive in a wonderful degree. I have been amazed and amused at the amount of information he would glean in his first stroll about a town. He would come to the hotel, loaded with all the news that was afloat, and how he gathered it up, nobody could tell. He could penetrate character at a glance; he was as quick as lightning, and as unerring as the shafts of fate. He could delineate it with great accuracy, and in graphic terms.

I have been glancing over his memoirs, and, although I was well acquainted with nearly every person spoken of, I find that he describes them with life-like fidelity, and portrays them in colors which I know to be true, but which did not strike me before I had read these memoirs.

He was pre-eminently impartial. His dislike of a man never caused him to detract in the slightest degree from his merits. In his memoirs we have the opinions of an observing, capable, and impartial person, and I think he sheds more light upon the history of Illinois, in his Reminiscences (although not intended to be directly of a historical character) than in any production I have seen.

It may not be amiss for me to add something to what General Linder has said of himself. He was a man of very extensive general reading, and was master of the English classics, and kept up with the literature of the day. He was well posted in ancient and modern history, and had considerable skill in matters pertaining to

science. All these branches of knowledge he could turn to good account whenever required, but it was in his capacity of a lawyer that he excelled. Most people at first supposed that he was merely a brilliant orator, and had no great knowledge of law, but in this they were wofully mistaken. U. F. Linder was a profound lawyer. He understood all its technicalities. I never knew any one to get the better of him on a legal point, and I have seen him tested many a time. Any one who calculated to gain a case against Linder—without having the law and the right clearly on his side—"reckoned without his host," for *he* frequently succeeded with the law and the testimony manifestly against him. I never felt that a defendant in a criminal case was safe from a verdict when Linder prosecuted, no matter what the evidence might be in his favor; if Linder *contended* for a conviction, our only hope was in the courts. He would generally, if there was nothing in a case, abandon the prosecution. But woe be to the accused, if the Attorney-General did not see fit to *nol pros.*, and the law was not clearly with them. I always believed that it was inhuman to confer the office of prosecuting attorney upon such men as Linder and Bissell.

Prosecuting attorneys do not as often as justice requires forbear to prosecute. Professional pride, the habit of regarding the accused as guilty, which all prosecutors fall into, and the unrelenting importunity of enemies of the defendant, blind these officers to a proper sense of duty, and justice is often perverted. These sentiments I know are not in accord with those generally entertained, but they are, nevertheless, worthy of acceptance. Ordinary men are greatly overmatched by such prosecutors as I have named. I have known Linder to get a verdict consigning a man to the penitentiary for

accidentally killing another with a blow of his fist, in a fight which he did not begin, because, although a quiet man, he was very powerful. His offense consisted in being big and strong.

The idea originally entertained that Linder could not be a deeply-read lawyer grew out of the fact, first, that it is the general opinion that when men have the imaginative faculty in a high degree, they are deficient in the argumentative quality. That was Justin Butterfield's idea. He was trying a case against E. D. Baker, a man of brilliant parts, who, strangely enough, misquoted a passage of poetry. What was more strange, Butterfield corrected him, and in so doing said, that for Baker to be ignorant of the *law*, was the most natural thing in the world—nobody would expect anything else—but for him to be at fault in poetry, was marvelous and unpardonable.

The other ground was, that Linder was not often seen consulting law books; but his legal training must have been very fine, and his aptitude for catching a point remarkably strong. It was not true, however, that he did not read law. He studied both the facts and the law of his cases carefully; but it was at night, or at odd times, when he was not observed. One thing is very certain—he was always ready to produce book and page of the authorities in support of his positions. Linder's *forte*, however, was in addressing a jury. There, it seemed to me, if he had any merits in his case, he was invincible.

I don't know that I can convey an idea of his efficiency in any better way than by describing him in one case, and he was the same in all others, under similar circumstances. The case to which I refer is the one mentioned in the memoirs as having occurred at Kaskaskia. I will give my recollection of that case.

Linder struck our circuit at Nashville, Washington

county. The court adjourned there on Thursday evening. Linder and I were too far from our homes to reach them and return to Kaskaskia by the following Monday. The Belleville lawyers went home, and Linder and I wended our way to Kaskaskia, and put up at a hotel kept by one Deevers. This was Linder's first appearance at Kaskaskia. He took a stroll about town, and soon returned with his budget of news. Amongst other items he had discovered that our landlord had sued a man named Campbell in assault and battery, laying his damages at $1,000, and expected a heavy verdict, on account of having lost a portion of his ear in the skirmish. Campbell had offered Linder a small fee at a venture, which the other declined, not knowing, as he said, but that the landlord would employ him, and if he did, he would make it pay both our tavern bills.

I liked the scheme, but told Linder that I thought Deevers had set his heart on getting Trumbull to assist Baker, his resident lawyer. But I agreed to try and get him in for Deevers. Soon after, the landlord inquired who my companion was. I pretended to be much surprised, and said, "Is it possible you don't know General Linder, the Attorney-General, and the greatest lawyer in the State, in a certain class of cases? In slander cases, or in assault and battery, particularly the latter class, he has no equal; and if you have any friend who has an assault and battery case, tell him by all means to hasten and employ Linder."

Deever did not "bite," however, and I told the General. "Well," said he, "if he don't, I'll close with Campbell, and give Boniface h—l!"

Sunday night Trumbull drove up, and the landlord sprang to the side of his buggy, and engaged him before he could get out. I reported to Linder, and he posted off and made a bargain with Campbell.

The case was set for Wednesday, and the General bestowed his undivided attention upon his only case. He told me that upon looking into the case, he found that if the plaintiff's attorneys were not looking out sharp, he would get the advantage of them in the pleadings, and then it was the "finest case he ever looked into."

His opponents, having their hands full of business, fell into the error he had anticipated, and when the pleadings were made up, Linder said of the plaintiff, as Cromwell did of the Scotch army, "The Lord hath delivered thee into my hands." Linder said he was going to make one of the finest efforts of his life, and I believed it, in so far that I told my acquaintances, and among them Judge Pope, that there would be music in court on Wednesday. I said to him that I thought Linder would out-do himself if he could have some ladies in the audience. The Judge said he would have the court room filled with them.

Kaskaskia was at that time famous for the elegance, intelligence, and fascination of its ladies.

The day arrived, the evidence was heard, and the ladies graced the room. Linder was in perfect trim, and when he went to the jury, the scene baffled description. My stock of language is totally inadequate to the task of giving any definite idea of the circumstances. I feel like Burns, when he says:

> "But here my muse her wings maun cower,
> Sic flights are far beyond her power."

Notwithstanding the fact that the merits of the case were all with the plaintiff, the jury, without leaving their box, returned a verdict for the defendant. I was so dazed by the adroitness, the eloquence, and the masterly ability of Linder, that I was never able to remember much that he said. Indeed, I don't know how he could

very well say anything in such a case that would be likely to stamp itself upon the memory distinctly. I think he gained the case by ridicule, by the most brilliant displays of rhetoric, and by dramatic effect. It seemed to me that he had acquired absolute dominion over the jury, and that if he had called upon them to render a verdict of guilty of murder against poor Deevers, they would have done so. The jury, the audience, everybody was convulsed with laughter, from the beginning to the end of Linder's argument, but poor Deevers, and he looked very much like a man going to the gallows. Linder gave him the most terrible castigation man ever received. Not by saying severe or harsh things about him, but by ridiculing him beyond measure. He literally laughed the case out of court. The court adjourned upon the rendition of the verdict, and while we were going out, Deevers said to me:

"Oh God! why didn't I take your advice, and employ that man. I would not have lost my case if I had."

"Deevers," said I, "when I take the pains to give you good, *disinterested* advice, hereafter, you will be apt to follow it."

"Yes, indeed, I will!" said he.

The first thing Deevers would say to me when I met with him after that, would be, "Well, Gillespie, what a fool I was, that I didn't take your advice that time."

This was just a specimen case. Under similar circumstances he could do the same thing any time. He was generally equal to any emergency, and it was seldom that he fell below himself. He had a soul full of humor; it beamed in his eyes and glowed in his countenance. I have watched him when he was speaking, and could see by the twinkle of his eye that fun was coming before his language gave any intimation to that effect.

Mr. Lincoln admired him greatly as a speaker. He told me that he and Linder were once defending a man who was being tried on a criminal charge before Judge David Davis, who said at dinner time that the case must be disposed of that night. Linder suggested that the best thing they could do would be to run Benedict, the prosecuting attorney, as far into the night as possible, in hopes that he might, in his rage, commit some indiscretion that would help their case. Lincoln commenced, but to save his life he could not speak one hour, and the laboring oar fell into Linder's hands; "but," said Lincoln, "he was equal to the occasion." He spoke most interestingly three mortal hours about everything in the world. He discussed Benedict from head to foot, and put in about three-quarters of an hour on the subject of Benedict's whiskers. Lincoln said he never envied a man so much as he did Linder on that occasion. He thought he was inimitable in his capacity to talk interestingly about everything and nothing, by the hour.

No matter how much Linder loved admiration, he never refused to accord the due meed of praise to others, although they might be his rivals. He would always "give the devil his due." In politics he was extremely liberal, so much so that it was difficult for him to define his own position at times. When I first knew him he was a Jackson man. His admiration for the old hero was so strong that he rather ignored the principles which characterized the Adams and Jackson parties, and followed his inclinations. When Jackson was out of the way, and the contest was between Clay and somebody else, he consulted his judgment, and was profoundly convinced of the correctness of the old Whig principles. He believed that we were a *nation*, and not a mere *league of States;* that the currency of the country should

be *national* in its character, and not *local;* that we should develop and derive the profits from the mechanical and manufacturing industries, and that it was within the scope of the powers of the general government, under the clauses in the Constitution which allowed it to establish post-roads and regulate commerce, to construct internal improvements within the States, and thus he was a Whig. Being a man of strong Southern proclivities, he believed that the abolition of slavery would be everlastingly ruinous to the South, and therefore he differed from his old friend Lincoln on the question of emancipation, and became what was called a War Democrat—that is, one who believed in the unification of the country, but feared that the emancipation of the slaves would be attended with ruinous consequences to the white man. General Linder occupied the same position that did the Hon. John T. Stuart (one of the best men and ablest thinkers Illinois has ever produced) on this question. Both sound Whigs from conviction, but anticipating direful effects from the abolition of slavery, and so could not be Republicans. I differ from both, and think that Mr. Lincoln was the most far-seeing. Neither Linder nor Stuart believed in slavery, but they did profoundly believe in the superiority of the Caucasian family, and would rather endure the evils of slavery than what they thought would be the ruin of the white race.

In attempting to write an introductory chapter to these memoirs, I hesitate to allow my vapid style to be brought into juxtaposition with their glowing pages. But a truce to excuses and apologies, I will follow the bent of my inclination, and discourse as I feel inclined, and as I know my old friend General Linder would wish me to do, if he were alive and asking me to do this himself. I will sum up the character of General Linder by saying

that he was a man of transcendent abilities in the forum and at the hustings; that he was remarkably candid and fair in his estimate of the characters of men; that he was genial in his disposition to the highest degree, and that he loved his country pre-eminently. He was a good citizen, a kind friend, and an affectionate husband and father. He had his failings, and although I cannot say that they leaned to virtue's side, I do maintain that none of his infirmities were groveling or despicable. They were such as may be reconciled with the highest honor. He was the worst enemy to himself. He filled a large space in public estimation, and rendered important service to the country, which will be better known and appreciated hereafter than it is now, or has been during his life-time. I feel assured that he has placed the country and posterity under deep and lasting obligations for his memoirs, in which he has rescued from oblivion many names of benefactors of Illinois.

Usher F. Linder has not lived in vain. He has fought a good fight, and been honorably gathered to his fathers. Peace to his ashes, respect to his memory, is the prayer of his old friend and admirer,

J. GILLESPIE.

LINDER'S

REMINISCENCES

OF THE

BENCH AND BAR OF HIS TIME.

AT the solicitation of many friends, I sit down to write a history of my life, in which I shall give my recollections of many of the men and events of my day and time. I am by birth a native of Kentucky. I was born on the 20th day of March, A. D. 1809, in Elizabethtown, Hardin county, Kentucky. My youthful and schoolboy days are full of many beautiful recollections, and the same, perhaps, may be said by ninety-nine out of every hundred who have lived to be as old as I am; yet there are passages in my early life that I would fain forget, and with these I propose not to trouble the reader. A man's life, who has lived to my age, may well be compared to the four seasons—Spring, Summer, Autumn and Winter. My first recollections are connected with country life. My father owned a small farm in what was called the "Barrens," of about one hundred and fifty acres, with an extensive spring of water upon it, situated nine miles west of Elizabethtown.

My memory carries me back very distinctly to when I was about six years old—perhaps earlier. I remember the first school to which I went, and riding there on my father's back. The old pedagogue who taught this school was John Dougherty, a queer old soul, and a jolly one at that. He boarded alternately with the parents of his pupils. The schoolhouse was situated in the midst of a thick growth of stunted blackjacks; the logs of which it was built were cut from these trees (which stood around about it) and was covered with clapboards, with a dirt floor, and one of the logs cut out for a window, with but one door for an entrance. From this schoolhouse, little smoothly-worn paths diverged in every direction, formed by the juvenile feet that came from every point of the compass.

It was in this house—these sylvan shades—this Arcadian grove, that I commenced my first classical course of A B C's, which course I did not finish until I was transferred to another school, and another teacher, about a year from my matriculation with Dougherty, from which the reader may well infer that I was not a very precocious scholar. Perhaps it will not be out of place to mention here that the wife whom I afterwards married, and with whom I have lived for over forty-three years, went to this same school, and being younger than I, was carried there on the back of her eldest brother.

The next school I was sent to was kept by a man whose name was Samuel Cavens, with whom I mastered my A B C's, and learned to spell in two syllables. He was a kind, good man, and afterwards rose to some

distinction in Green county, Indiana; became clerk of the circuit court, and also represented that county in the Legislature of that State. Some fifteen years ago, I was associated with the late Judge David McDonald, of Indianapolis, in prosecuting a suit of some magnitude against an old and distinguished lawyer of Indiana, in the Sullivan circuit court; while there, my old preceptor, who flourished in an adjoining county, came to see me, to ascertain if I was the outgrowth of the boy he taught his A B C's some forty years before. He seemed as proud of his old pupil as if he had been his own son, and I am sure I was far from being ashamed of him. We had a pleasant time in talking of the old times and old men of Kentucky, and our mutual ups and downs of life since my schoolboy days. This may seem a very trifling circumstance to the reader, and hardly worthy of a place in these memoirs, but every professional man who has risen from poverty and obscurity, and made for himself a name in the legal world of which he is not ashamed, and taken his place in the front rank of his profession, knows how sweet it is to recount his triumphs to an old school-fellow or tutor. But of all the incitements to great and superhuman exertions, the approving smiles of a little divinity, clothed in the form of woman, is the greatest.

While I was yet quite young, my father removed to a farm some two miles from Elizabethtown, on the Shepherdsville road, and I was still kept going to school; sometimes to one master or mistress, and then to another. I distinctly remember Knawl, Allison, McGill and Mary Martin. How far I progressed while under the instruction of these various teachers,

is scarcely worth recording. Suffice it to say, I had an immoderate love for juvenile plays and sports of all kinds, and nothing filled me with greater horror than the sight of a school-house. I was finally transferred to the school kept in the seminary of Elizabethtown by an excellent man and teacher, and a ripe scholar. He was a graduate of some one of the Northern or Eastern institutions of learning, which one I do not now remember; but it was while with him I acquired my first ardent love for learning, and made rapid progress in the various studies assigned me, English grammar being my favorite. The name of this gentleman was John Seward Sweesey. He went into politics, and was succeeded by an Eastern graduate, by the name of Proctor. With him I studied Latin principally, for about a year, when my father moved to Indiana, and of course took me with him. At this time I could not have been over thirteen years of age, if I was that old.

When court was in session at Elizabethtown, it was a great treat to me on Saturdays to go to the court house and witness the encounters between the lawyers, and I have no scruple in saying that at this bar practiced some of the most eminent barristers in Kentucky, and perhaps in the Union.

JOHN ROWAN.

AT the head of this bar stood John Rowan, of Bardstown, who had distanced all competitors as a great criminal lawyer, and who stood pre-eminently high in every department of jurisprudence; superadded to this, his conversational powers were only surpassed by his great learning and his subtle disquisitions as a lawyer. *He was a great man—a very great man;* and what is more, he not only acted the great man, but he looked the great man. A stranger of any discernment would pick him out of a thousand and inquire who he was. I think he was the grandest and most magnificent specimen of humanity I ever saw. I never saw but one man whose personal appearance reminded me of Rowan, and that was the late Henry Eddy of Shawneetown.

Rowan's father was quite a poor man, and had a large family to support, and, consequently, John was the only one of his sons who received a liberal education. His name became almost a household word throughout Kentucky, the Middle States and the Northwestern Territories. He was sent for, far and near, to defend in cases of murder, and no lawyer ever had greater success, he but seldom losing a case. He

was never known to take a fee to prosecute in a criminal case. He regarded it as mean, mercenary and dishonorable to do so, looking upon the fee in such cases as the wages or price of blood. He placed the lawyer who prosecuted for money and the highwayman on the same level. He was a man of the noblest and most refined sensibilities, and scrupulously conscientious. He never sought a quarrel, but being in would fight it out.

A Doctor Chambers, of Bardstown, having become jealous of Rowan, without cause, challenged him.

Rowan tried every honorable expedient to avoid a hostile meeting, but nothing would satisfy the jealous man but the blood of Rowan. Finally Rowan accepted the challenge, and they fought with pistols, at ten paces. Chambers fell at the first fire, mortally wounded, and such was the great popularity and high standing of Chambers, that Rowan for a long time had to conceal himself, until the public excitement died out.

Rowan's power in criminal cases consisted in the subtle character of his reasoning, and in raising a doubt. He was never stormy or passionate; his style being almost conversational, yet, when occasion required it, he could, in a mere whisper, stir the deepest feelings of compassion and pity, and convulse the whole audience in tears.

In a civil suit for damages for the seduction of an accomplished and beautiful girl, of good family, Rowan being for the plaintiff, after stating the facts of the case in all their most aggravating aspects, he closed by quoting, in a most pathetic tone, the beautiful and tender lines from the "Vicar of Wakefield":

"When lovely woman stoops to folly,
And finds too late that men betray,
No art can soothe her melancholy,
No charm can drive her guilt away.

"The only art her guilt to cover,
And hide her shame from every eye,
And bring repentance to her lover,
And wring his bosom, is to die."

He was somewhat Johnsonian in his conversational style, yet words in abundance were at his command, and came forth in easy and unrestrained fluency. His thoughts were grand and magnificent, and he clothed them all in royal purple. He dealt largely in the metaphorical and figurative. I can only give one specimen which I heard myself, at least fifty years ago.

It was a case in which a bank was plaintiff and one of its officers defendant—Rowan for the defense, Ben Hardin for the plaintiff. There was a little pyramid of books of the bank stacked up between the bar and the jury-box—day-books, journals, ledgers, etc. I shall never forget his words or his manner. It was near the close of his very learned and ingenious argument that he remarked: "Gentlemen of the jury, it has been well said that corporations have no souls. I cordially indorse the sentiment; money, money, gentlemen, is their god. These books (laying his hand on the pile of bank books) their Bible, a counting house their sanctuary."

His *forte* did not lie, as I have before intimated, in carrying away the jury by impassioned appeals to their hearts; to obtain a verdict of acquittal was with him a game of skill. He often cheated the jury, and snatched a verdict where all the circumstances and

indicia of guilt pointed towards his client. He once opened his defense in a case of murder in the following singular but candid manner: "Gentlemen of the jury, taking all the evidence into consideration that has been adduced in this case, the probabilities are that my client committed the deed; this I frankly admit, but mere probabilities will not be sufficient to work a conviction unless they produce in the mind of the jury the conviction that there is a moral certainty of his guilt—such as leaves no doubt resting in the mind of the jury; to that certainty and that doubt I propose to address myself."

It used to be a saying amongst the members of the bar, when Rowan had a hard case of murder to defend, and public opinion pronounced him guilty in advance of a trial, "No," said they, "not if Rowan can get in his wooden horse." Counsel on the opposite side, anticipating the skill and ingenuity of Rowan, would often playfully caution them "to look out for the Grecian horse."

I know not if any regular biography has been written of Mr. Rowan. He certainly deserves to have an abler biographer than I am, and I trust the imperfect sketch here given of this great man will not be construed as an attempt on my part to write his biography. Had he not been of my profession, practicing at the Elizabeth bar, I should not have written this short sketch.

Rowan's personal appearance was very imposing. He was about six feet high, and well proportioned, possessing that leonine look about the head and shoulders, which captivated all beholders. In dress he

followed the advice of Polonius to his son Laertes—it was "rich but not gaudy."

A well-written life of John Rowan would add greatly to our stock of Western literature, and would be a great treat to any Kentucky lawyer, however far he may have wandered from the *natale solum*—the glorious old Kentucky. Oh, Kentucky—the lawyers of Kentucky!

BENJAMIN HARDIN.

THE next great lawyer at my native bar was Ben Hardin. With him my acquaintance commenced even in my boyhood, and continued up to the time of my leaving Kentucky, in 1835, for the State of Illinois. He was one of the sons of Anak in intellect and stature, and almost as awkward and ungainly in person as our late lamented Lincoln. I hardly, at this distance of time, know how to draw his legal portrait. An accomplished, deeply erudite jurist he certainly was not; but as a successful practitioner, both before court and jury, and in courts of equity as well as courts of law, I know of no lawyer in Kentucky who stood above him. As a speaker, he wielded a sharp but coarse blade, and woe to him who provoked its edge! I can say, in all sincerity, I never listened to a more interesting speaker than Ben Hardin. I generally obtained leave of absence during the term of our circuit court, and I have always considered it as time well spent. I give to Ben Hardin the credit (if any is due) of putting the torch to my youthful ambition.

He was sought for by all the various classes of litigants, even before Rowan, with the single exception of cases of murder. His practice lay principally in

the north of the Green River country, in Judges Booker and McLean's circuits, and also in the courts of Louisville and Frankfort.

The reader is doubtless aware that our system of law in Kentucky governing our titles to land was one borrowed from Virginia, and was one of the great obstacles in the early settlement of the State of Kentucky; a system that made many lawyers rich and many good men poor.

There was a man in the county of Jefferson, of which Louisville was the county seat, by the name of Jack Hundley, who had made an immense fortune for that day, by trading in negroes with the South, and when he came to die, being a Presbyterian, he willed the bulk of his fortune to the Presbyterian church. He was a bachelor. His brothers and sisters brought a suit to break the will. Ben Hardin was their lawyer. The bill was filed in the Jefferson circuit court, and my recollection is, that the church took a change of venue to Shelby county; but of that I am not positively certain, though I have a graphic description of the trial. The clergy in vast numbers, dressed in black, formed two wings of the court, about ten on each side of the Judge, who had not the courage to make them take their places with the rest of the crowd. When Ben Hardin came to address the jury, he said: "Gentlemen of the jury, have you ever seen an old dead horse, or any other dead carcass, where the buzzards congregated to feast upon the carrion? If you ever have seen that, you have now an opportunity of seeing something that greatly resembles it. Behold the black-coated gentry who have presented

themselves on this occasion, to over-awe and influence the verdict of the jury!"

He went on to show that undue influence had been used by the Presbyterian church and its ministers, to appropriate the vast fortune of Jack Hundley to themselves, and cheat his blood relations out of that which was their natural inheritance. Before he concluded, the buzzards disappeared, and the jury retired and were out but a short time when they came in with a verdict which knocked Jack Hundley's will into spasms.

WILLIAM DUVAL.

I HAVE now given the reader a view of Rowan and Hardin. There were others of that bar who are entitled to my notice, having excited in me, even when a boy, the desire to figure at the bar, amongst whom was Ben Chapeze, Tom Chilton, Dick Rudd, Governor William Duval, Ben Tobin, a nephew of Ben Hardin, and many other distinguished lawyers, not one of whom but would grace any bar in the Union.

Governor William Duval was one of the most social and interesting men I ever knew. He was Governor of Florida when it was a territory. In a social chat amongst us lawyers, he kept us in constant roar of laughter. He gave us an account of one of Bonaparte's nephews—one of the Murats, who had a fine estate in Florida—whom the Governor on one occasion invited to take dinner with him, at Tallahassee. He said his cook had provided a large amount of wild fowl of every description—wild ducks, geese, cranes, and every other fowl of which you can possibly conceive—to which the young Murat did full justice, and seemed very much pleased, and addressing himself to Governor Duval, said:

"Governor, you have fine wild fowls in this country.

I have killed and cooked a great many of them; but, Governor, there is one bird that is indigenous to this country which I do not very much like. I killed him and brought him in, and he stunk so bad that my servant and I could not divest him of his feathers. Oh, by Gar, sare, it made me vomit!"

Duval asked him to describe the bird he spoke of.

"Well, sare, I saw him and about a hundred others sitting on a log, with their wings spread out, near to an old dead horse, and I concluded to kill one of them —they looked so much like turkeys. I killed one of them; I cooked him, sare. My God, sare, I puked like I had taken an emetic!"

"Why," said Governor Duval, "it was a turkey buzzard—the meanest bird in our country."

"Oh, yes, Governor, by Gar, it was the God damn buzzard!"

LINDER REMOVES TO ILLINOIS.

IN the summer of 1835, I removed to the State of Illinois with my family, which then consisted of myself and wife and little daughter and son. We landed at my father's house, on the National Road, then being constructed by the National Government from Terre Haute to Vandalia, having been finished from Fort Cumberland through Ohio and Indiana to Terre Haute, a flourishing town situated on the Wabash River, a most beautiful site, like all the other towns originally settled by the French—such as Vincennes, Kaskaskia, Peoria and others. Illinois was a vast and fertile plain, bounded on the east by the Wabash River, on the south by the Ohio, on the west by the Mississippi, and on the north by Lake Michigan and the State of Wisconsin.

When I arrived in Illinois, on the 12th of July, 1835, it looked to me like a vast wilderness of flowers, with a soil as rich and fertile as ever a crow flew over. It seemed to me as if the Lord had created it as a paradise for farmers. But when we were all laid on our backs with the chills and fever, with water unfit even for a beast to drink, I sighed when I thought of the hills, knolls, valleys and the purling fountains that gushed in coolness from the hill-side, and went

dancing and babbling to the sea. And when, in October, death snatched from our arms our darling little boy—John Calhoun Linder—Illinois seemed to have no charms left for me, and I resolved, as soon as we were all recovered from the dreadful epidemic, which then prevailed all over the State, and which laid every member of mine and my father's family on their backs, to return to Kentucky and accept poverty as a boon, if we could only be blessed with health. But when all recovered again, and but one was lost, I began to look about to see if there was not something in Illinois for me.

The judicial system was very similar to that of Kentucky. The highest courts of general, original, chancery and common law jurisdiction were the circuit courts. There was not over seven or eight of these circuits when I came to the State. I settled in Coles county, in a little village called Greenup, named after old Col. Wm. C. Greenup, who laid it off and was one of its proprietors. He came to the State while it yet was a territory, and was the Secretary of the Constitutional Convention that was convened at Kaskaskia, and formed the first Constitution of this State.

The national road was then being constructed through Illinois. It was the only public work I remember at that time in Southern Illinois. It furnished employment for a vast number of workmen and laborers, by which many a poor man and new comer earned the money wherewith to pay his taxes, doctor's bill, and to lay in a supply of food and clothing for the winter of 1835 and 1836. Charleston, the

county seat of Coles, was about twenty miles north of Greenup. It was laid out by a man from Fayette county, Ky., by the name of Charles S. Morton.

FIRST MEETING WITH LINCOLN.

I did not travel on the circuit in 1835, on account of my health and the health of my wife, but attended court at Charleston that fall, held by Judge Grant, who had exchanged circuits with our judge, Justin Harlan. It was here I first met Abraham Lincoln, of Springfield, at that time a very modest and retiring man, dressed in a plain suit of mixed jeans. He did not make any marked impression upon me, or any other member of the bar. He was on a visit to his relations in Coles, where his father and stepmother lived, and some of her children. Lincoln put up at the hotel, and there was where I saw him. Whether he was reading law at this time I cannot say. Certain it is, he had not then been admitted to the bar, although he had some celebrity, having been a captain in the Black-Hawk campaign, and served a term in the Illinois Legislature; but if he won any fame at that season I have never heard of it. He had been one of the representatives from Sangamon. If Lincoln at this time felt the divine afflatus of greatness stir within him I have never heard of it. It was rather common among us then in the West to suppose that there was no presidential timber growing in the Northwest, yet he doubtless had at that time the stuff out of which to make half a dozen presidents.

I had known his relatives in Kentucky, and he asked me about them. His uncle, Mordecai Lincoln, I had

known from my boyhood, and he was naturally a man of considerable genius; he was a man of great drollery, and it would almost make you laugh to look at him. I never saw but one other man whose quiet, droll look excited in me the same disposition to laugh, and that was Artemas Ward. He was quite a story-teller, and they were generally on the smutty order, and in this Abe resembled his Uncle Mord, as we all called him. He was an honest man, as tender-hearted as a woman, and to the last degree charitable and benevolent.

No one ever took offense at Uncle Mord's stories—not even the ladies. I heard him once tell a bevy of fashionable girls that he knew a very large woman who had a husband so small that in the night she often mistook him for the baby, and that upon one occasion she had armed him with a diaper and was singing to him a soothing lullaby, when he awoke and told her that the baby was on the other side of the bed.

Lincoln had a very high opinion of his uncle, and on one occasion said to me: "Linder, I have often said that Uncle Mord had run off with all the talents of the family."

Old Mord, as we sometimes called him, had been in his younger days a very stout man, and was quite fond of playing a game of fisticuffs with any one who was noted as a champion. He told a parcel of us once of a pitched battle he had fought with one of the champions of that day. He said they fought on the side of a hill or ridge; that at the bottom there was a rut or canal, which had been cut out by the freshets. He said they soon clinched, and he threw his man and fell

on top of him. He said he always thought he had the best eyes in the world for measuring distances, and having measured the distance to the bottom of the hill, he concluded that by rolling over and over till they came to the bottom his antagonist's body would fill it, and he would be wedged in so tight that he could whip him at his leisure. So he let the fellow turn him, and over and over they went, when about the twentieth revolution brought Uncle Mord's back in contact with the bottom of the rut, "and," said he, "before hell could scorch a feather, I cried out in stentorian voice: 'take him off!'"

I could tell many more of Uncle Mord Lincoln's stories, but these two will serve as specimens. His sons and daughters were not talented, like the old man, but were very sensible people, noted for their honesty and kindness of heart.

Abraham Lincoln was born in Hardin county (now La Rue), within ten miles of the place where I first saw the light, and a little over a month ahead of me. His mother, whose maiden name was Nancy Hanks, was said to be a very strong-minded woman, and one of the most athletic women in Kentucky. In a fair wrestle, she could throw most of the men who ever put her powers to the test. A reliable gentleman told me he heard the late Jack Thomas, clerk of the Grayson Court, say he had frequently wrestled with her, and she invariably laid him on his back. Lincoln himself was a man of great physical powers—a perfect type of sinews and muscles wrapped around enormous bones.

The impression that Mr. Lincoln made upon me

when I first saw him at the hotel in Charleston, was very slight. He had the appearance of a good-natured, easy, unambitious man, of plain good sense, and unobtrusive in his manners. At that time he told me no stories and perpetrated no jokes.

I must leave Mr. Lincoln now, and take him up again when he shall make his appearance in the regular order of this history.

It is not my purpose or intention to write an autobiography, or burden this narrative with matters personal to myself, only so far as to give to the reader an idea of the men and events of my own day and time.

In 1835, the population, as shown by the census of that year, did not exceed one hundred and fifty thousand souls. The earlier emigration to this State had been mostly from Ohio, Indiana and Kentucky, which lay to the East and South of Illinois. A portion, however, were from Tennessee and the Carolinas. This made the principal part of the then population of Illinois, with the exception of the French at Kaskaskia and other French posts, with quite a German population in St. Clair County, and a few Yankees at Chicago, and some more sparsely scattered through the Northern portion of the State. The reader will perceive, from the above general view, that the weight of population lay in the Southern portion of the State. I should have stated that a colony of English farmers, gentlemen and yeomanry, at quite an early day, had settled Edwards County, which name they gave it, with their county seat at Albion, a name also bestowed by them.

At this time there were but few lawyers in the State.

The most eminent were Henry Eddy and Jefferson Gatewood, of Shawneetown; James Semple, of Alton; Stephen T. Logan, of Springfield; Thomas Ford, of Edwardsville; Sidney Breese, of Kaskaskia; Samuel McRoberts, of Danville; Jephtha Hardin, of Shawneetown; David J. Baker, of Kaskaskia; Justin Butterfield, James Collins and Giles Spring, of Chicago; A. P. Field, of Vandalia; Richard Young, of the northern portion of the State; William Wilson, Edwin B. Webb, of Carmi, and Nathaniel Pope, of Kaskaskia. There are doubtless others whom, in the lapse of time, I have forgotten or overlooked, who are entitled to a place with the foregoing eminent gentlemen of the bar, whose names shall be introduced as they occur to me, and properly inserted and noticed in some appropriate place in these memoirs. Early in the spring of 1836 I commenced attending the various courts in the fourth judicial circuit, composed of some fifteen or sixteen counties. The roads being very bad, and in many places impassable for carriages, the judge and all the lawyers traveled on horseback, which, for me, was always the most pleasant mode of traveling—the safest, and most social and democratic, except traveling on foot.

JUSTIN HARLAN.

THERE is no profession or body of men that are happier or more respectable than circuit court lawyers. Especially was it the case in the early settlement of Illinois. The lawyers who went the circuit at the time were, Orlando B. Ficklin, prosecuting attorney, and since representative in Congress; A. C. French, Hazlerigg, Aaron Shaw, E. B. Webb, George Webb, father of E. B. Webb, John Pearsons, Samuel McRoberts and myself, Justin Harlan being our presiding judge on this circuit—a man for whom I feel the most profound respect and deepest veneration. He was a man of the highest order of talents, and although his learning was not what is called iberal, yet he was a profound, well-read and able lawyer, and as honest and impartial in the discharge of his judicial functions as the day is long. When not on the bench, he was a plain unostentatious gentleman, who eschewed all vainglorious show or parade. His manner and walk and conversation did not say, as others I have known did, "here goes your judge; keep at a respectful distance, all ye of the tiers," etc., "and all above come and do homage." No man entertained a profounder contempt for all upstarts and toadies. When on the road, in the tavern, or at the dinner-table,

the judge and his lawyers were on a footing of perfect equality, but when on the bench he laid aside all levity, giving his whole attention to the case under consideration, paying the same attention to the junior that he did to the senior members of the bar. There was a period of some four or five years that he was not on the bench, when he and I were often retained together in the same case. Our intercourse was of the most genial and pleasant character, and our friendship has grown with our age, till it has become crystalized and insoluble.

JEPHTHA HARDIN.

THE first court that I attended in the spring of 1836, was at Lawrenceville, in Lawrence county. It seemed that some good genius attended me, for I got into almost immediate practice wherever I went, which increased from year to year until I quit the circuit. From Lawrenceville we went to Mt. Carmel; from there to Carmi, where we often met with lawyers from Shawneetown circuit—such as Gatewood, Eddy, Mapes, Samuel Marshall, and William H. Stickney, now of Chicago. But let me not forget to make especial mention of my distinguished friend, Jephtha Hardin, whom we frequently met at this court. He was a brother of the distinguished Benjamin Hardin, of whom I have spoken in a former part of these memoirs. He reminded me very much of his brother Ben, in looks and disposition. Of course he was not the equal of Ben, but not greatly his inferior.

Jephtha Hardin, like his brother Ben, of Kentucky, had a very good opinion of himself. Finding that I had been personally acquainted with his brother Ben, he seemed somewhat anxious to know what opinion I entertained of him. I told him Hardin was an able

lawyer, so regarded by all who knew him—exceedingly sarcastic, as I had a good right to know; that I had felt the merciless inflictions of his coarse satire full many a time, and that I was even yet sore in the remembrance thereof; that as *he* was almost the counterpart of his brother in physical and mental stature—being large and ungainly in size and coarse in speech—I was only sorry that there was no case in court where we were on opposite sides, that I might liquidate the debt I owed to the Hardin family.

"The thing, by G—d," said he, "of all others I most desire. Well," added he, "there is a case of hog-stealing here. I know the defendant. I will see the young man who is defending, and get him to let me assist him. You must see the State's Attorney, and become his sole prosecutor, and I'll be d—d if I don't give you the worst dressing down you ever had in your life."

The matter was not difficult to arrange, either with the young man or the State's Attorney. So into the case we went, after the evidence was through, which was very strong against the accused. I opened with a plain statement of the facts and the law, telling the jury that the most they would have to do would be to agree upon the time he should serve in the penitentiary, but I would take the liberty to tell them that the accused would be defended by the distinguished Jephtha Hardin, of Shawneetown, brother to the distinguished Ben Hardin, of Kentucky, of world-wide renown, who, being scarcely less distinguished than his brother, proposed to add new lustre to his laurels by the castigation he was going to give me. I gave a brief

statement of the fact that I had challenged him to the combat, for the purpose of paying off a debt I owed to the Hardin family. He immediately rose and replied to me at considerable length and with marked bitterness, and seemed unwilling to give me credit for a very moderate share of ability. He succeeded in getting off some pretty good laughs at my expense. When he closed and it was my turn to reply, the court adjourned to dinner. During the recess the circumstance of our legal duel became known to everybody, so that at the meeting of the court I had a full house, and quite a number of ladies to grace the occasion. I never entertained the least doubt of getting the better of him. I was not bitter, for indeed I entertained none but the kindest feelings toward Judge Hardin; but I indulged in many a ludicrous comparison, and drew from the crowd the most uproarious laughter; and when I was about closing, turning to Judge Hardin, I said, "Gentlemen of the jury, I have now settled with the Hardins in full the debt I owed." "But I have not with you, by God, sir," observed Hardin, in quite an audible voice, which caused everybody to laugh to the splitting of their sides. I went on to say, after the crowd had become quiet, "Gentlemen of the jury, you may now take leave of your old and distinguished friend, Jephtha Hardin; his face you'll see no more; the star that shone with undimmed lustre has disappeared from its place in the heavens, but another shall take its place, of brighter sheen and more resplendent lustre." I sat down, leaving the crowd enjoying a hearty laugh, and friend Jephtha in a terrible bad passion. We parted, however, good

friends, though I have never seen him since; but I will do him the justice to say that he was a man of kind disposition, great tenderness of heart, and eminently social.

I will next give some very amusing and interesting anecdotes of "Old Jephtha," and then take up some other distinguished man of that day, whose history will not be uninteresting to the present generation.

THE HARDIN FAMILY.

I WILL now relate some interesting anecdotes illustrative of the character and peculiarities of my friend, Jephtha Hardin, the half brother of Ben Hardin, of Kentucky. But as my readers doubtless are not as well acquainted with the Hardin family as I am, I will take occasion here to say that they were the most distinguished family of Kentucky. They were a race of giants, physically and intellectually. Ben Hardin was the most distinguished of the family, not only as a lawyer but as an advocate. His wit and humor were scarcely inferior to that of Curran. When in Congress, where he served for some thirteen or fourteen years, everybody—even Randolph—acknowledged his prowess. Randolph compared him to a coarse kitchen butcher-knife whetted upon a brick-bat. The late General Thornton, of Shelby county, Illinois, who knew him well, and who lived in Washington at the time Hardin was a member of Congress, told me that when it was known that he was going to address the House of Representatives, he could gather the largest audience of any member of the House; not even Randolph or Clay could gather a larger. He said, when it was known that

Hardin was going to speak, he has seen negroes and boys running along the streets and avenues of Washington crying at the top of their voices, "Hardin has got the floor! Hardin has got the floor! Hardin has got the floor!" and in less than no time the streets would be filled with hacks and every sort of vehicle, carrying the eager crowd to the Capitol to hear one of Kentucky's rarest and most gifted sons address the House of Representatives.

The late lamented John J. Hardin, of Illinois, the son of Gen. Martin D. Hardin, of Frankfort, Ky., was a near relative of Ben's. All the Wickliffes, from Charles A. down, had Hardin blood in their veins, and were all distinguished for their talents. My opinion is, that General John J. Hardin, of whom I have already spoken, who fell fighting at Buena Vista, under General Taylor, was not inferior to either Lincoln or Douglas. I knew him well, and he and Lincoln and Douglas and myself served in the Legislature of Illinois in 1836 and '37, at old Vandalia.

I have now given the reader as good an idea of the Hardin family as it is in my power to do. I shall, therefore, return for a short period to my old friend, "Jep." I have already said that he was eminently social. I will add that he was garrulous—the never-failing weakness of old age. Mr. Stickney, of this city, told me that on one occasion they slept together in the same bed at a hotel, and Hardin talked him to sleep, recounting the scenes of his early life, and he supposed he had slept about two hours and awoke, and found Hardin rattling away, perfectly unconcerned as to whether Stickney was asleep or awake.

He and one Michael Jones, of Shawneetown, had a deadly feud, and Jones threatened that if he outlived Hardin he would dig his bones up out of the grave and hang him in chains on a tree at some cross-roads in Gallatin county, of which threat Hardin was apprised; and being satisfied, from the character of Jones, that he would execute it, when he came to die he had a clause inserted in his will that they should dig his grave fifteen feet deep, and fill it up four feet above the surface of the earth with solid masonry; which I understand was done.

One more anecdote in regard to my old friend Jephtha, and I will dismiss him. While he was presiding as judge at Shawneetown, the distinguished Jefferson Gatewood, of whom I have already spoken, with whom Hardin was not on very good terms, had a case before him in which the Judge ruled against him. Gatewood, thinking the ruling wrong, turned to some brother lawyer and in an undertone (which Hardin nevertheless heard) said, "I will elevate this case and take it out of the hands of this little court." Hardin, immediately addressing Gatewood, said, "What is that you say, Jeffy Gatewood—did you say little court? *You*, Jeffy Gatewood, say little court? I'll show you whether this is a little court or not! I'll fine you, and send you to jail into the bargain, sir! Clerk, enter a fine of fifty dollars against him!"

By this time the great drops of sweat, as big as beads, were rolling down Gatewood's forehead; he rose to his feet and undertook to explain. Hardin said "Sit down, Jeffy, the court will hear no explanation from you. *You* say little court! Clerk, enter a fine

of fifty dollars more against him; I'll show *you* how little a court this is. I'll thrash you, Jeffy, and you know I can do it. Sheriff, adjourn court till after dinner."

After the Judge had eaten a good hearty dinner of roast turkey and other accompaniments, he opened court at 2 o'clock. Being in excellent humor, he remitted Gatewood's fine, and proceeded with business as usual. I am informed that Gatewood never again intimated that Hardin's court was a *little court.* A. P. Field, a lawyer at that time of great distinction, who was present on the occasion, and from whom I gathered the foregoing facts, told me that in all his life he never witnessed such an amusing and ludicrous scene.

My dear reader, if I have wearied you with the account I have given you of my old friend Jeptha, attribute it to an old man's love of gossip, as I shall now dismiss him from these pages, hoping I have said nothing that will give you a bad opinion of him; for really he was a very good and an exceedingly kind-hearted man, and would cry like a child at a picture of sorrow or distress. Farewell, Jephtha! peace to thy ashes! *"Requiescat in pace."*

HENRY EDDY.

ONE of the most distinguished men of that day, as a lawyer, was Henry Eddy, of Shawneetown. I first met him at Carmi, in 1836. I also met him at the Supreme Court repeatedly. He was employed in the largest cases that came up from Southern Illinois. When he addressed the court, he elicited the most profound attention. He was a sort of walking law library. He never forgot anything that he ever knew, no matter whether it was law, poetry or *belles lettres*. He often would quote whole pages of Milton and Shakspeare, when he felt in a genial mood. He was the son-in-law of John Marshall, of Shawneetown, president of the Shawneetown bank, and brother-in-law of Major Samuel Marshall, one of the most talented men in the State of Illinois. I served a term in the legislature of Illinois with Eddy, in 1846 and '7, and we roomed together during the whole of that winter.

On one occasion Eddy got very "high," and while in that condition, he rose in the House and made a few remarks, and it became obvious to us all that Eddy was not in a fit condition at that time to address the House. Some of his friends who sat near him whispered to him and advised him to postpone his

remarks till the next day, which he did. That night four or five of his friends got together and determined to have some fun out of him, and we concocted this story, which each one of us was to tell him when the others were not present. I was the first one to open the dance, next morning, when Eddy was perfectly cool and at himself. I went to him with great gravity, with sorrow expressed in my face and said, "Eddy, you mortified your friends very much on yesterday, in attempting to speak when you were so much intoxicated." He confessed that he had been overtaken, and was very much intoxicated. He said that he had been to a saloon, and it being a cold morning, had taken a stiff horn of "Tom and Jerry," which, when he got into the warm Hall of Representatives, close to the stove, flew to his head, and he had really no recollection of what he had said.

"Ah, but Eddy, there lies the rub. You cursed and swore like a trooper."

"What did I say, Linder? Do you remember the words?"

"Yes, Eddy, I do, and I shall never forget them. You said, 'Mr. Speaker, this subject by G—d, sir, is very far from being exhausted, and I'll be G—d d—d, if I don't intend to ventilate it myself,' and at that point we got you by the coat tail and pulled you into your seat."

"O! my God!" said he, "is that so? As soon as the House meets, I will make my apology. I never did such a thing before, and but for the d——d 'Tom and Jerry' would not have done it then."

The rest of our conspirators all met him, and, *seri-*

atim, told him the same story; and he actually started to the House to make his apology, but meeting with Rheman, a member from Vandalia, on his way to the House, told him what he was going to do. Rheman, not being in our plot, told him that he was present and heard what he said, and that he was perfectly respectful, and that there was not a word of profanity in what he had said. Eddy said, "I smell it now; the boys have laid a trap for me, but they haven't caught me this time."

THE LEGISLATURE OF 1836-7.

LINCOLN—DOUGLAS.

HAVING promised the reader to introduce other names into these memoirs, I will now carry him to the legislature of Illinois of 1836–7, then held at Vandalia, of which body, to-wit: the House of Representatives, Abraham Lincoln, Stephen A. Douglas, James Shields, Archy Williams, Ninian Edwards and John J. Hardin, with many other men that have since distinguished themselves in our country's history, together with your humble servant, were members. This was my second meeting with Abraham Lincoln, but far from being my last. I should have mentioned that Jesse K. Dubois was also a member of that body at that time. I had the pleasure of meeting Robert Wilson, of Sangamon county, who was also a member of that body at that time, at the unveiling of Lincoln's statute.

He had preserved a list of the names of the members of both Houses, and had kept himself informed as to what had become of them, and he told me that of the one hundred and five members, there were only fifteen of us living. Time makes sad havoc of us in

this world; he comes along with his scythe, mowing us down, and pays no attention to talents or distinction.

I here had an opportunity of measuring the intellectual stature of Abraham Lincoln better than any I had previously possessed. He was then about twenty-seven years old—my own age. Douglas was four years our junior, consequently, he could not have been over twenty-three years old, yet he was a very ready and expert debater, even at that early period of his life. He and Lincoln were very frequently pitted against each other, being of different politics. They both commanded marked attention and respect from the House. I dislike to draw any parallel or comparison between these two men, who afterwards became so famous and distinguished in their country's history.

This body was largely democratic, and it was at this session they elected me Attorney-General of the State of Illinois. My competitor was Benjamin Bond, of Clinton county, Ill., also a member of the same body with myself. I did not serve out the whole of my time in the legislature, it being necessary that I should assume the duties of the new office to which I had been elected; the law at that time requiring the Attorney-General to perform the duties of a district or State's attorney, on the circuit of which the seat of government, Vandalia, was a part. I therefore, sometime in February, resigned my seat and met the court at Edwardsville, which was then presided over by his Honor, Judge Breese, who, I am happy to say, is still living and a member of the Supreme Court of the State of Illinois, and for his age, one of the best preserved men, physically and mentally, that I know of in the

whole circle of my acquaintances. He cannot be less than eighty years of age, and yet he is one of the most active and laborious members of the court. It was a cold winter when I met Judge Breese at Edwardsville. We traveled together on the circuit on horseback, our road lying down the Mississippi as far as Kaskaskia.

It was on this trip that I became acquainted with several gentlemen who have since made their mark in the history of Illinois, amongst whom were Adam Snyder, the father of the present Judge William Snyder, of St. Clair county; Judge Koerner, then but a mere novice at the bar; David J. Baker, Governor Reynolds and others. I should also have mentioned Joseph Gillespie; and I will take occasion here to say that a better man and sounder lawyer it has never been my good fortune to know. I will also say *en passant*, that it was on this trip I first became acquainted with the late Nathanial Buckmaster, who was then sheriff of Madison county, and a more genial and whole-souled man it would be hard to find.

I ought not to forget, in this connection, to mention my old friend, Govenor William Kinney, a man of great native wit, but of very little learning, as I shall illustrate by a short anecdote. In writing, when he had occasion to use the personal pronoun I, he always used the little "i," and being asked on one occasion why he did not use the capital, he replied, "that Governor Edwards, who was his superior in office (he, Kinney, being only Lieutenant Governor), had used up all the capital I's, leaving him only the small 'i'."

The wit in this reply consists in this, that although Governor Edwards was one of the most talented men

in the nation, yet, at the same time, he was one of the vainest and most egotistical.

I shall not linger longer at present on this circuit. Let it suffice to say, that Judge Breese and I enjoyed ourselves greatly while we were together on the circuit.

I did not complete my term of office as Attorney-General, but resigned before the two years had expired, and returned to Coles county, where I continued to reside and practice my profession on that circuit until 1860, when I removed with my family to the city of Chicago.

BRILLIANT RAILROAD SCHEMES—ILLINOIS AND MICHIGAN CANAL.

The years 1836 and '37 were a sort of formation period; the starting point of many great men who distinguished themselves in the subsequent history of Illinois. My readers will perhaps be astonished when I say to them that at that time Mr. Lincoln did not give promise of being the first man in Illinois, as he afterwards became. He made a good many speeches in the legislature, mostly on local subjects. A close observer, however, could not fail to see that the tall, six-footer, with his homely logic, clothed in the language of the humbler classes, had the stuff in him to make a man of mark.

At that time we had some very exciting questions before the Legislature. It was at that session that the subject of internal improvements became the all-absorbing question of the day. There was not a railroad at that time in the State of Illinois; nor was there any road in Indiana touching the line of our State. I

think there was a short road, either constructed or being constructed, from Madison, on the Ohio river, to Indianapolis. We ran perfectly wild on the subject of internal improvements. A map of that scheme, with the various routes along which our contemplated roads were to run, would be somewhat amusing to look at, at this day. I must, however, here remark that some of the routes were exceedingly well chosen. I will only mention one or two: the Illinois Central, the Chicago and Galena, and the great Northern Cross-Railroad, which was to start somewhere on the Mississippi, run through Decatur, and on by the way of Danville to the Indiana State line.

These are hardly a tithe of the roads that were mapped out and authorized to be built. Every member wanted a road to his county town—a great many of them got one; and those counties through which no road was authorized to be constructed were to be compensated in money; which was to be obtained by a loan from Europe, or—God knows where.

The enthusiastic friends of the measure, such as John Hogan, one of the members from Alton, an Irishman, who had been a Methodist preacher, and who was quite a fluent and interesting speaker, maintained that instead of their being any difficulty in obtaining a loan of the fifteen or twenty millions authorized to be borrowed, our bonds would go like hot cakes, and be sought for by the Rothschilds and Baring Brothers, and others of that stamp, and that the premium which we would obtain upon them would range from fifty to one hundred per cent., and that the premium itself would be sufficient to construct most of the

important works, leaving the principal sum to go into our treasury, and leave the people free from taxation for years to come.

The law authorized these works to be constructed by the State, without the intervention of corporations or any individual interest whatever. Commissioners were to be appointed to go to Europe and borrow money on our State bonds.

My recollection now is, that Moses Rawlings, of Shawneetown, John D. Whiteside, Governor Reynolds, and General William F. Thornton, the last mentioned of whom represented the Illinois and Michigan canal, with their satchels full of State bonds, posted off to London and Hamburg, to negotiate the loan; and my impression now is, that General Thornton was the only one of them who was able to sell the bonds at par, and he, by some arrangement that he made to have the money paid in English sovereigns at New York city, realized a very handsome premium.

The great fault in the system was discovered when it was too late. It was found that when nobody has any individual interest in a thing like this—nothing to lose, and nothing to gain but their salary—the public interests always suffer.

I think some fifteen or eighteen millions were borrowed, and of that sum, if the State derived any benefit from it, it was that portion which was applied to the Illinois and Michigan canal. If any man deserves more credit than another for the completion of that canal, it is Col. E. D. Taylor, now of LaSalle, Ill., the present owner of the coal mines in that vicinity. He procured some dozen or more men of capital in the

city of Chicago, who, with himself, guaranteed the construction of the work, and thereupon the English capitalists pulled out their money, and the work went ahead.

As to the railroads, I suppose everybody knows that they were not built; here and there through the State you could find some gradings and fillings, but never a tie nor rail was laid upon them by the State. They remained as monuments of legislative folly. The State has sold some of them, I believe, and perhaps all, for a mere song, to the companies which have constructed roads on the routes laid out by the State. Perhaps I ought to beg pardon of the reader for detaining him so long on these dry statistics.

It was only a few years when the whole system went up like a balloon. I supported the measure, with many others, and am willing now to take my share of the blame which should attach to those who supported it. We were all young and inexperienced men. Lincoln and Douglas, with myself, voted for this Internal Improvement Bill. My recollection now is that General John J. Hardin, of Jacksonville, took a decided stand against it, and predicted its fate with an accuracy that looks to me now almost like prophecy.

REMOVAL OF THE CAPITAL TO SPRINGFIELD.

At that session (I mean 1836 and '7), the question came up as to the removal of the seat of government from Vandalia to Springfield. Springfield had nine members. They were called the "long nine," for there was not one of them who was not over six feet

high. The seat of government was removed, by law, to Springfield, and it has been hinted that the "nine" traded a little to accomplish this result, but I vouch for nothing of the kind.

At the call-session in the summer of 1837, of which body I was not then a member, General Lee D. Ewing had been elected to fill some vacancy which had occurred, for the express purpose of repealing the law removing the seat of government to Springfield. I should have said that he was the representative from Fayette county, of which Vandalia is the county seat.

General Ewing at that time was a man of considerable notoriety, popularity and talents. He had been a senator in Congress from Illinois, and had filled various State offices in his time. He was a man of elegant manners, great personal courage, and would grace either the saloons of fashion or the Senate chamber at Washington.

The Legislature opened its special session (I was there as a spectator), and General Ewing sounded the tocsin of war. He said that "the arrogance of Springfield—its presumption in claiming the seat of government—was not to be endured; that the law had been passed by chicanery and trickery; that the Springfield delegation had sold out to the internal improvement men, and had promised their support to every measure that would gain them a vote to the law removing the seat of government." He said many other things cutting and sarcastic. Lincoln was chosen by his colleagues as their champion, to reply to him; and I want to say here that this was the first time that I began to

conceive a very high opinion of the talents and personal courage of Abraham Lincoln. He retorted upon Ewing with great severity; denouncing his insinuations imputing corruption to him and his colleagues, and paying back with usury all that Ewing had said, when everybody thought and believed that he was digging his own grave; for it was known that Ewing would not quietly pocket any insinuations that would degrade him personally.

I recollect his reply to Lincoln well. After addressing the Speaker, he turned to the Sangamon delegation, who all sat in the same portion of the house, and said:

"Gentlemen, have you no other champion than this coarse and vulgar fellow to bring into the lists against me? Do you suppose that I will condescend to break a lance with your low and obscure colleague?"

Think of such a remark made to a man who was afterward to be President of the United States—to whom monuments were to be erected, and of whom hundreds of biographies were to be written, and who was to strike the fetters from four millions of slaves! I guess that if Ewing could have known it then, it would have greatly modified and softened his remarks; but who could see in the ungainly and uneducated man, the man who was to make himself thereafter second only to George Washington, the Father of his Country, whom, in honesty, patriotism and sterling integrity, he very much resembled.

We were all very much alarmed for fear there would be a personal conflict between Ewing and Lincoln. It was confidently believed that a challenge must

pass between them, but the friends on both sides took it in hand, and it was settled without anything serious growing out of it.

Ewing did not accomplish the purpose for which he was elected. He afterwards filled high offices under the State governments, and was one of the most genial, social and amiable of men that I have ever known. We were warm personal friends, and my heart now makes a pilgrimage to his grave, as it does to those of Lincoln and Douglas, and a host of others who have left me alone with another generation.

At the session of 1836 and '37, there were men, some of whose names I have already mentioned, who became greatly distinguished in after times. I shall not forget them, and shall, in my subsequent pages, try to do justice to them.

JAMES SHIELDS.

THE next one I shall take up will be General James Shields, one of the fifteen survivors of the legislature of 1836 and '37. General James Shields now lives in the State of Missouri. He was Commissioner of the General Land Office at Washington, under President Polk. General Shields was a native of Ireland. He was appointed by Polk, during the progress of the Mexican war, a Brigadier-General, and was at the battle of Cerro Gordo, where he was severely wounded, a musket ball having passed entirely through his lungs. His Aid, George T. M. Davis, told me that he could only keep warmth in his body by putting him between two blankets and getting in with him, and putting his two naked feet to his armpits. He fortunately survived, and was afterwards Senator in Congress from Illinois, and one of the Union generals in the late rebellion. In 1836 and '37, he was Representative from Randolph county, Kaskaskia. The reader will remember that before he became very famous, he challenged our friend Lincoln to fight a duel. Lincoln accepted the challenge, and by the advice of his especial friend and second, Dr. Merriman, he chose broadswords as the weapons with which to fight. Dr. Merriman being a splendid swordsman,

trained him in the use of that instrument, which made it almost certain that Shields would be killed or discomfited, for he was a small, short-armed man, while Lincoln was a tall, sinewy, long-armed man, and as stout as Hercules.

They went to Alton, and were to fight on the neck of land between the Missouri and Mississippi rivers, near their confluence. John J. Hardin hearing of the contemplated duel, determined to prevent it, and hastened to Alton, with all imaginable celerity, where he fell in with the belligerent parties, and aided by some other friends of both Lincoln and Shields, succeeded in effecting a reconciliation.

This is about as much notice as I intend to take of General Shields, as his name has gone into history, where abler pens than mine have done him full justice. He was my personal and political friend, and voted for and helped to elect me Attorney-General, and I will now take leave of him by saying he was a warm-hearted Irishman, and a brave and gallant soldier.

After this affair between Lincoln and Shields, I met Lincoln at the Danville court, and in a walk we took together, seeing him make passes with a stick, such as are made in the broadsword exercise, I was induced to ask him why he had selected that weapon with which to fight Shields. He promptly answered in that sharp, ear-splitting voice of his:

"To tell you the truth, Linder, I did not want to kill Shields, and felt sure that I could disarm him, having had about a month to learn the broadsword exercise; and furthermore, I didn't want the d—d fellow to kill

me, which I rather think he would have done if we had selected pistols."

In this connection I want to say that I never knew but one man who, in size, personal appearance and his style and manner of addressing courts and juries, closely resembles Mr. Lincoln, and that is our distinguished and talented townsman, Leonard Swett; and in saying this I am sure that I do no injustice to Mr. Lincoln, for Mr. Swett is an eminent and distinguished lawyer, standing at the head of the bar in the city of Chicago and State of Illinois. If he has a superior, I have not the pleasure of his acquaintance.

JESSE K. DUBOIS.

I FEEL it to be my duty, as it is a great pleasure to me, to introduce to the notice and attention of the reader my old friend, Jesse K. Dubois, now of Springfield, Illinois, late Auditor of the State of Illinois, who in 1836 and '37 was a member of the House of Representatives of the legislature of Illinois, from the county of Lawrence.

Ah! Jesse, when I think of you my heart warms and my pulse beats faster; and though I may not give you the highest niche in the temple of Fame, yet you are enshrined in the very core of my heart!

My acquaintance with Mr. Dubois commenced in 1836, at Lawrenceville. He was then the member-elect from the county of Lawrence, and I from the county of Coles. I was attending the fall session of the court there. Our intimacy commenced at that time, and our friendship has continued for nearly forty years; and it has grown and strengthened with our age. When I first saw him he was a slim, handsome young man, with auburn hair, sky-blue eyes, with the elegant manners of a Frenchman, from which nation he has his descent. The last time I saw him was at the unveiling of Lincoln's statue, near Springfield, where he made the opening speech. To say it was a

good speech would be too tame an expression to do him justice; it was a magnificent effort. He had been the leading and managing man in the construction of Lincoln's monument, and showed from whence every dollar came; and although the subject was rather dry and jejune, he made it interesting by the manner and style of his delivery. He is a man of spotless reputation, and if any man who has known him well should contradict this assertion, old as I am, while I might not go a hundred miles to thrash him, as the old Ranger Governor once said of a man whom he did not like very well: "I wouldn't shake hands with him on the day of an election if I was a candidate myself for office."

Jesse K. Dubois is too well known by the people of this State to need any further mention, on my part, of his claims to their highest respect. I should like to see him Governor of the State of Illinois, which position he would no doubt fill to the satisfaction of all, and make the Governor's mansion the head-quarters of all honest men and good fellows.

With these remarks I shall leave the name of Jesse K. Dubois with my readers, and it would afford me unqualified delight if I thought these memoirs would have merit enough to carry his name to future generations. He is the prince of good fellows—a man without subtlety or guile; devoted to his friends, and something of a terror to his enemies and all demagogues.

JOHN M. PALMER.

WORTHY reader, I now wish to introduce to your notice a man who was not a member of the legislature of 1836 and '37, but to whom I wish to give a place in these memoirs. I allude to his Excellency, the late Governor of Illinois, the Hon. John M. Palmer. My acquaintance with him commenced in 1837 and '38, when he was simply probate justice of the peace of Macoupin county, at Carlinville, Ill. As to his subsequent career as General in the army and Governor of Illinois, it is wholly unnecessary to speak, for the historian will do him justice. His name and deeds will brighten every page upon which they may be written.

JOHN A. McCLERNAND.

IT WILL be impossible for me to introduce to your notice all the men who were prominent in the legislature of 1836 and '37, and who became famous thereafter; but one of the men who figured prominently at that session was John A. McClernand, of Shawneetown. He was a young man of great fluency of speech and a Democrat. Governor Duncan had sent a message to the two Houses, attacking General Jackson and Mr. Van Buren, which part of his message was referred to a select committee, of which McClernand was chairman, and he made a report thereon to the House, which was thought by his friends to be an able one. He made a speech on the introduction of that report which gave him considerable prestige with the legislature. Since then McClernand has climbed pretty high up on the ladder of fame. He was a Major-General of the Union forces in the late rebellion, and was appointed by the administration to lay siege to Vicksburg, but was, for some cause or other, superseded by General Grant. As I am not writing a history of the war, which has been written by many able pens, my object only being to bring General McClernand before the eye of the reader, I will only add that he was at the battle of Shiloh, and

was in the hottest thereof, and behaved with great courage, gallantry and skill.

He was for many years a member of the House of Representatives in Congress, from the Southern part of Illinois, and made his mark in that body. He has since been Judge of the Circuit Court of Sangamon county. I should have said that many years ago Governor Ford appointed him his Secretary of State, in place of A. P. Field, whom he intended to remove by that appointment. Field litigated the appointment of McClernand, and it came before the Supreme Court of Illinois, and they decided in favor of Field. The decision was delivered by Chief Justice William Wilson, which will be found in Scammon's Reports.

It is an able opinion, but evidently erroneous, and the precedent was never followed by any subsequent action of the government. They decided, in that opinion, that a Governor had no right to remove a Secretary of State appointed by his predecessor. It was contrary to the practice of the general government, and was evidently wrong, as every lawyer now acknowledges, and was made by a court politically hostile to Governor Ford and John A. McClernand.

SUPREME COURT JUDGES.

WILSON—SMITH—BROWN—LOCKWOOD.

THE court was then composed of William Wilson, Chief Justice, Theophilus Smith, Thomas C. Brown, and Samuel Lockwood, all of whom have paid the debt of nature and gone to their last account. I knew them all personally, and practiced law before Judge Wilson when he held the courts in the 4th judicial circuit of Illinois, and it is due to his memory to say that he was an able judge, both of the Supreme Court and the courts of *nisi prius*.

At that day many lawyers considered Smith the great light on the bench, as many more thougth Wilson the great light. At this distance of time I shall not undertake to decide between them, but I will step aside to say that Judge Thomas C. Brown was the Falstaff of the bench, which a few short anecdotes will illustrate. He was a tall, corpulent man, being as full of wit and humor as an egg is of meat. On one occasion, being asked where he then lived, he answered, "Why, sir, I live in the hearts of my countrymen."

Brown never refused to take a horn when invited, but very rarely invited others to take a horn with him. A personal friend of his who had imbibed too freely

during the session of 1836 and '37, whose name I shall not mention for *personal* reasons, and who occupied the same room with Brown, was very sick the whole of the night thereafter, and kept Brown awake. Next morning Brown took him by the arm and led him one side, and said to him:

"My friend, I am not opposed to taking a social glass, but if I were you, from the way it affects you, I would either quit drinking or kill myself."

"The devil you would!" said his friend.

"Well, no," says Brown, "I don't know that you will be driven to that necessity, for there are a hundred negroes and mulattoes in this town that you can hire to kill you for a quarter of a dollar, and thus save you from the crime of suicide."

I will relate another short anecdote of which I was personally cognizant. I desired to have a Colonel Bodkin, of Alton, admitted to the bar as a lawyer. Knowing that his qualifications were rather slim, I hinted as much to Brown, and got him to go to my room to examine him. Bodkin had been a butcher. He had twinkling grey eyes and a nose like Bardolph's. I said to Judge Brown, "Let me introduce to your acquaintance Colonel Bodkin, who desires to be admitted to the bar, to practice law; will you please examine him touching his qualifications?" Turning to Bodkin, he said: "Colonel, are you a judge of good brandy?" Bodkin took the hint in a moment, rang the bell, and a servant making his appearance, he directed him to bring up a bottle of the best c gnac and some loaf sugar, which was quickly forthcoming, and Judge Brown having partaken thereof, with the rest of us, turned to the Colonel, and said:

"Colonel, have you read Blackstone and Chitty?"

"O! yes, sir," says the Colonel.

"What do you think of them as authors?" said the Judge.

"I think very highly of them," said the Colonel.

"Have you read Shakspeare?" asks the Judge.

"Oh, yes," says the Colonel.

"You greatly admire him, Colonel?" says the Judge.

"Oh, beyond all the power of language to express!" says the Colonel.

"Do you know there was no such person as Shakspeare?" said the Judge.

"Indeed I did not," said the Colonel.

"It is true," said the Judge. "Then you don't know, Colonel, who wrote the work entitled 'The Plays of Shakspeare?'"

"If he did not write them I do not know," replied the Colonel.

"Would you like to know?" said the Judge.

"I certainly should," answered the Colonel.

"Then," said the Judge, "as you have shown in this examination the highest qualifications to be admitted to the bar, I will say to you, in the strictest confidence, what I have never said to any one before, that *I* am the author of those plays! Mr. Bodkin, write out your license, and I will sign it."

STEPHEN A. DOUGLAS.

THERE is a man who has figured but slightly in these pages, whom it is time for us now to notice; that man is Stephen A. Douglas, who, during his life, accomplished much for himself and his adopted State. He was a native of Vermont, of humble origin, and certainly not very liberally educated. He came to this State when he could not have been over twenty or twenty-one years of age, and taught school for a livelihood, at the same time prosecuting his study of the law; so that when his term of teaching was out, he got license to practice law, and the legislature elected him prosecuting attorney for the district in which he lived, which included Jacksonville. His public career is too well known for me to incumber these pages with that which has been a thousand times better written than I could possibly write it, if I were to try. I will, therefore, only notice him so far as he stands connected with Lincoln and myself.

It is known to every one how long he served in the Senate of the United States, and what a brilliant record he made for himself, and how much he did for the State of Illinois, and what a world-wide reputation he won for himself. No one will deny that, had it not been for him, we should never have obtained from the general government that magnificent grant of lands

which went to construct the Illinois Central Railroad, from which the State now derives a revenue of from three to five hundred thousand dollars per annum.

I was a member of the legislature in 1846, when we negotiated with the company that afterwards constructed that road, and certainly a finer thoroughfare does not exist in the world: connecting the great northern lakes with the mouth of the Ohio river, and Chicago, the Queen City of the Northwest, with the cities of Mobile and New Orleans, by rail and water, by which we can send our products to every port of the Gulf of Mexico, and through the Gulf into the Atlantic, and to all the West India Islands, and every part of the world. Everybody knows how we are connected with the lakes and the northern Atlantic. It is impossible to anticipate the future greatness of Illinois and the city of Chicago, and how far the acts and public services of Douglas have contributed to that greatness the people of Illinois know full well. Is it not a shame he should have no finished monument to attest the gratitude of a people for whom he has done so much?

If he did not succeed in being President himself, he contributed largely to giving one to the State of Illinois. You will ask how this happened. I answer, that when Mr. Lincoln's party in 1858 nominated him to run against Douglas for the Senate of the United States, their joint debate made Mr. Lincoln one of the most prominent men of his party, and no impartial friend of his will deny that that debate and his defeat for the senate secured his nomination in 1860 for the presidency, his consequent election, and all the glory and honor he subsequently won.

Now let us contemplate for a moment Stephen A. Douglas as a patriot. Instead of being soured by defeat, as many ambitious men would have been, when the dark clouds of civil war were lowering over our land he stood shoulder to shoulder with Lincoln, his successful antagonist, and sounded the bugle-note that caused all his personal and political friends to rally around the flag of the Union. No State can boast two greater names than Lincoln and Douglas. It was unnecessary for me to say this much of Douglas, only that I desire, in these my memoirs, to lay an humble leaf of laurel on the grave of my friend.

My intimacy and friendship with Douglas commenced in 1836, when I was a very young man, and he was, as it were, a mere boy. He looked like a boy, with his smooth face and diminutive proportions, but when he spoke in the House of Representatives, as he often did in 1836 and '37, he spoke like a man, and loomed up into the proportions of an intellectual giant, and it was at that session he got the name of the "Little Giant," by which he was called all over the Union till the day of his death—"The Little Giant of Illinois."

My personal intercourse with him was like that of a brother, which, in *one* respect, I was. Worthy reader, I promised in the beginning of these memoirs to say as little about myself as possible. I am writing my recollections of other men, and not an autobiography; but I will relate a little circumstance here which occurred between Douglas and myself when he was running for the Senate in 1858. When he was canvassing the Northern portion of the State,

a great many of Mr. Lincoln's friends followed him to his large meetings, which they would address at night, attacking Douglas when he would be in bed asleep, worn out by the fatigues of the day. He telegraphed me to meet him at Freeport, and travel around the State with him and help to fight off the hell-hounds, as he called them, that were howling on his path, and used this expression: "For God sake, Linder, come." Some *very honest* operator stole the telegram as it was passing over the wire, and published it in the Republican papers. They dubbed me thenceforth with the *sobriquet* of "For God's Sake Linder," which I have worn with great pride and distinction ever since.

I met him at St. Louis; his wife, a most elegant lady, was with him. We traveled down through the Southern part of Illinois, speaking together at all his meetings—as far down as Cairo and up to Jonesborough, where he and Lincoln met in joint debate. These debates were published, and they, of themselves, are enduring monuments of the greatness of the two men. But Mr. Douglas' great theatre was in the Senate of the United States. His speeches there will rank with those of Clay, Webster and Calhoun, and in debate he was not a whit inferior to either of them, and I know from good authority that he was the favorite of all three of these men.

Douglas on one occasion, in a social chat between him and myself, gave me a detailed account of his trip to Europe, and of his permission to see Queen Victoria if he would do so in court dress, which he declined, saying that he would wear just such clothes as he usually wore when visiting the President of the

United States. But when he got to Russia, the great Nicholas, who was then on the throne, granted him the privilege to see him in the same dress he usually wore at the White House. He did Douglas and our country the honor to send his own carriage for him, and had him brought out to one of the Russian steppes, where Nicholas was reviewing a million of his troops. Said he, "Linder, it was the most imposing sight I ever saw. They were drawn up in the form of a V, stretching away back beyond the reach of my vision. At the apex of this V was a brilliant cortege, the principal figure being Nicholas himself; the rest were composed of his household and domestic ministers and ambassadors, from all the known world. I was taken," said he, "not to this cortege, but about a half a mile from there, where the carriage stopped, and I was helped out by what I supposed to be one of the emperor's most distinguished officers, for he was covered all over by crosses and badges of honor, and there were others there similarly decorated. He pointed to a horse, a beautiful steed, the most elegantly caparisoned I ever saw; the brow-band of the bridle was actually studded with diamonds; other portions of the horse's covering were literally glittering with gold and silver. I knew the horse was intended for me. I went up and examined the stirrup-straps, and found them about a foot too long. I turned around, and asked in English (being the only language I could speak), if any gentleman would shorten the stirrups for me, but to my utter dismay not a word could any of them speak, or understand what I said to them; but I made them understand by signs, and by fitting the stir-

rup leathers to my arms, what I wanted, and they were quickly shortened to fit my short legs, and I mounted. I did not know exactly what I was to do, but the horse informed me, for he turned his head towards the brilliant cortege, of which I have spoken, and broke for it like the wind. He had hardly started, however, when another horse, with a giant-like form upon him, caparisoned exactly like the one I was on, left the very head of the cortege and came, with the speed of a Mazeppa, right towards me. Thinks I, you are going to come together like a couple of locomotives, but I'll take the chances and let you drive. On they both went, as though they were going to run through each other, until they came up, nose to nose, and reared up on their hind feet, and then brought their fore feet right down to the ground together and stood as still as death, when the tall, fine-looking man on the other horse, addressed me in good English, in about these words:

"'I have the pleasure, I presume, of receiving and welcoming to Russia, Senator Douglas, of Illinois?'"

"I bowed my assent, and replied: 'I presume I have the honor of being received and welcomed by His Majesty, Nicholas, Emperor of all the Russias.'

"From thence we rode along together, engaged in familiar chat. He asked me a good many questions in regard to the way which I had come, and if I had come by the way of Constantinople. I told him I had. He asked me if I saw any signs or preparations of war there. I answered I had not. He then asked me what the prevailing opinion was there as to whether there would be any war. I said, 'The opinion seems to be

that it depends entirely upon your Majesty whether there will be peace or war.'

"We arrived at the cortege, and he gave me the place of honor, near his own person. Linder," said Douglas, "that was a proud day for my country. I never was vain enough to appropriate it to myself. When the little man in black was given the place of honor, it was a stroke of policy on the part of Nicholas; it amounted to saying to the hundred ambassadors from all the nations of the world: 'Gentlemen, I intend to make the great people of the great republic on the other side of the Atlantic my friends, and if any of your nations go to war with me, rest assured that that people will stand by me.' I received every attention that it was possible for mortal man to receive, all of which I knew was intended for my country."

I shall now take leave of my old friend, Douglas. I cannot add to his great name by anything I might say. I loved him with the love that Jonathan had for David—"A love that passeth the love of woman."

O. H. BROWNING.

O. H. BROWNING, of Quincy, Ill., was also one of the Senators at the session of the Illinois legislature of 1836 and '37, who has since obtained high and enviable distinction as a lawyer and a statesman. He came to this State from the State of Kentucky. He was appointed to fill the vacancy in the Senate of the United States caused by the death of Stephen A. Douglas, and afterwards was appointed as Secretary of the Interior. In all the posts Mr. Browning has filled, he has done so with great honor to himself and benefit to his country. He is still living, and in high practice. He is a man of wealth, has no children of his own, but has, I think, an adopted daughter, of whom he and Mrs. Browning—an elegant and accomplished lady—are as fond as if she were their own daughter.

Mr. Browning practices in our Federal Courts of Chicago, although at an advanced age—being about seventy years old. He is one of the fifteen survivors of the one hundred and five members of the legislature of 1836 and '37. He could very well pass for fifty-five years old, being very healthy and well preserved. He is retained in most of the large causes brought for and against the railroad companies. We

have always been great personal friends. I remember canvassing his Congressional District for him, against William A. Richardson, in 1852, leaving my own election, in Coles county, to take care of itself. I was, consequently, beaten some twenty-five votes.

WILLIAM A. RICHARDSON.

WILLIAM A. RICHARDSON was also a member of the House of Representatives of the Illinois legislature, of 1836 and '37. He was a captain in the Black Hawk war. He was also a captain or a major under General Taylor, in his Mexican war, and fought under him in the battle of Buena Vista. He was many years a Representative in Congress from the military district, and came very near being elected Speaker of the House of Representatives, and was subsequently elected to the Senate of the United States.

Richardson filled all the positions which he ever occupied with much honor and distinction, and is still living at this writing, in the city of Quincy, Illinois. He is nearly, if not quite, seventy years of age.

At the session of 1836 and '37, Richardson represented the county of Schuyler, and General George W. Maxwell, who is now dead, and who since that session married a sister of my wife, was Senator from the district of which Schuyler county formed a part. He, also, as well as Richardson, was in the Black Hawk war, and had the command of a company or regiment, I don't now remember which. He was a whole-souled, kind-hearted, clever fellow—peace be to his ashes!

JOHN D. WHITESIDE.

JOHN D. WHITESIDE, of whom I have casually spoken, was also a member of the Senate of the session of 1836 and '37. He was a candidate, and elected as Treasurer of the State by the Legislature at this session, which office he held for many years after the seat of government was removed to Springfield, by re-election. He was the gentleman who bore the challenge from Shields to Lincoln. He was a candidate at this session for Speaker of the Senate, but was defeated by Col. William H. Davidson, from White county.

He was a man eminently social, of great colloquial, conversational talents. He did not mingle much in the debates of the Senate, but, as I said before, he went to Europe to borrow money on our bonds, where, according to his own account, he made quite a splurge, and talked to the capitalists and nobility, and let them know that if they were high and honored subjects of the English king, he was one of the free sovereigns of America. I've had many a hearty laugh in listening to Whiteside, who reminded me of the old Dutchman who set his hen on a wash-tub of eggs, and when his wife asked him why he did it—"Py Shesus," said he, "yust to see de olt plue hen spread herself." He has long since gone to his last account. He was widely and favorably known all over the State of Illinois.

JUSTIN BUTTERFIELD.

THERE were other men, who were not members of this legislature, who were present during the session—generally distinguished lawyers, in attendance on the Supreme Court. Amongst the rest was Justin Butterfield, of Chicago, one of the most learned, talented and distinguished members of the bar, whom I will introduce to the reader at this time, although perhaps he might fall in more properly further along in these memoirs. He was a man of rare wit and humor, and I am satisfied that a few anecdotes in illustration thereof will not be unacceptable to the reader. He had held office in New York at the breaking out of the war of 1812, and having opposed that war, it destroyed his popularity and laid him on the shelf for many years. When the war broke out between this country and Mexico, during Polk's administration, some person asked him if he was opposed to the war. "No, by G–d, I oppose no wars. I opposed one war, and it ruined me, and henceforth I am for *War, Pestilence and Famine.*"

During the contest of 1840 between Harrison and Van Buren, some Federal office-holder met Butterfield in debate. Butterfield charged the hard times that then afflicted the country to the course pursued by the

administration. The office-holder replied, denying that there was hard times, and declared that he never saw better times in his life. Butterfield, in his rejoinder, used the following language:

"Fellow-citizens, I believe, in my soul, that if it rained fire and brimstone, as it did at Sodom and Gomorah, these locofocos would exclaim, 'What a refreshing shower!'" The office-holder sneaked off and said no more.

One more specimen of his wit, and I will give no more. On the trial of Joe Smith, the great Mormon prophet, at Springfield, before His Honor Judge Pope, of the United States District Court, the court room was crowded, and a large number of ladies were seated on both sides of the judge, upon the bench. Butterfield, who had been employed to defend the prophet, in opening the case, bowing to the judge and waving his hand to the ladies, said: "May it please your Honor, I appear before the Pope, in the presence of angels, to defend the prophet of the Lord!"

BENJAMIN MILLS.

IN THE introductory portion of these pages, in enumerating distinguished and eminent lawyers, who were in Illinois when I came here, I neglected to mention Ben Mills. I never saw him, but from all that I can learn from those who knew him, he had but few equals, if any, in the State. He was a Massachusetts man, highly educated, and I have been told that he was a man of a rare style of oratory, through which there ran a rich vein of wit and irony. It was a talent he often indulged in in conversation. A few specimens will not be without interest to the reader.

Ben, one day when he was in his cups at his hotel, was sitting about half asleep when Cavarly, a pompous lawyer, who thought he knew more than Lord Coke or Blackstone, stepped up to where Mills was sitting and laid his hand on Ben's bald head and remarked, "Friend Mills, you have quite a prairie on your head." "Yes, Cavarly," he said, "and do you know the difference between you and me?" "By no means, brother Mills," said he, in quite a patronizing manner. "Well, I'll tell you," said Mills, "My prairie is *on* my head, but yours is *inside* of your head."

Mills was the son of a New England Presbyterian

minister, and came to Illinois at an early day, when there was a law authorizing a justice of the peace, if he heard a man swear, even upon the street, to go to his office and enter up a fine of one dollar against him. Ben was a justice of the peace, and was one day taking his glass with another justice of the peace at his hotel, in Greenville, Ill., when he happened to let slip about half a dozen oaths. His brother justice said nothing about it at the time. This was in the morning. They met again at the same place in the evening and were taking another social glass together, when his friend remarked:

"Brother Mills, you swore several oaths this morning, and you know the law makes it my duty to enter a fine against you of a dollar for each oath."

"I know it, my brother," said Mills, "and thought of it, as I went to my office, and being a justice of the peace myself, I entered upon my docket a fine of one dollar for each oath I swore."

"Oh, well," says his friend, "that will do. Come, brother Mills, let us have another glass." And when they were about to drink it, Ben remarked: "But you know, my brother, that the policy of the law is reformation and not vengeance, and feeling that that object has been thoroughly accomplished in my case, by the fine, I am now considering the question of remitting it." After their glass and a hearty laugh, they parted.

Another specimen of Ben's wit and sarcasm I will give, which was communicated to me by Judge Blodgett. When Mills was at Kaskaskia, there was a lawyer there whom they called General Adams—a pompous fellow, who dressed in magnificent style,

and wore ruffled shirts. He had a client who had been indicted for murder, and Adams, to secure his fee, took a mortgage upon everything the fellow had in the world, even down to his household and kitchen furniture. His client was convicted and sentenced to be hung some thirty days thereafter, and between the sentence and execution, Adams foreclosed his mortgage and sold the property, not leaving the wife and children of the criminal a bed to sleep on, or a pot in which to cook their dinner. His client was hung and his body handed over to the surgeons for scientific experiment. The doctors invited the lawyers to attend, and amongst the rest came General Adams and Ben. Mills. They had their galvanic battery, and placed one of the poles (I believe that is what they call it) to his spinal column while his body was still warm and let on the electric current. Immediately the corpse began to wink and his face to draw itself into most horrid contortions, when Adams, laying his hand upon Mills' shoulder, said, in a very slow and solemn voice:

"This is a very sorrowful sight."

"Yes," said Ben, "it must be very sorrowful to a lawyer to see his client *skinned* the second time."

General Adams sneaked off and left the doctors to finish their experiment.

I will mention here a murder trial which took place at Edwardsville, before I came to the State of Illinois. It was the trial of a lawyer of the name of Winchester for the killing of a man by the name of Smith. The facts of the case as I have learned them, were something like these: Smith, who was a very foul-

mouthed man in his drunken sprees, had repeatedly charged Gov. Edwards with a criminal intimacy with Mrs. Stephenson, a very beautiful and reputable woman. She was the mother of Winchester's wife, and in a drunken spree at Edwardsville, where a great many of her and Gov. Edwards' friends were present, and amongst the rest her son-in-law, Winchester, Smith repeated the slander, and somebody stabbed him, of which wound he died. Winchester was indicted for murder; a special term of the court was appointed for his trial, which was presided over by Judge Samuel McRoberts. Governor Edwards took a very active part in having Winchester defended. He sent and had Felix Grundy brought from Tennessee, who was then one of the greatest criminal lawyers in the Southwest, and only second, perhaps, to John Rowan of Kentucky. Mills was his prosecutor. The trial took place at Edwardsville, and I have been told by those who were present at the trial, and amongst the rest, Judge Samuel McRoberts, in his life-time, that it was one of the ablest, most fearful and terrible prosecutions they ever heard. It took all the talent and oratory of Felix Grundy, aided by the presence and countenance which Gov. Edwards and his friends gave to the defense, to prevent a conviction, and Winchester was only acquitted by the "skin of his teeth."

There were doubtless many other incidents in the life of Mills, if I knew them, which would go to show that he was one of the ablest, most learned and accomplished lawyers of that day. I will mention, in conclusion, that I have been informed that before his death

he reformed his habits, joined the church, and died a most exemplary and hopeful Christian. All I am afraid of is that this notice will not do him the justice to which he is entitled. Judge Blodgett informs me that Mills and his father (Isaac Blodgett) were boys together, and Mills was often a guest at their house when the Judge was but a mere boy, and that he never saw a man that he more admired and loved. He died somewhere about 1850, and I believe, from what I have heard, he left as spotless a record as any lawyer that ever lived in the State of Illinois. Let the rising generation of young lawyers cherish his memory and try to imitate his example.

SAMUEL McROBERTS.

AT THIS place I will introduce to the attention of my readers Judge Samuel McRoberts, of Danville, Ill. He was a lawyer in high practice when I came to the State. We frequently met and traveled together on the circuit. When I went to the court at Danville, he would not permit me to stop at the hotel but took me to his own house, where I was most hospitably entertained. At the beginning of our acquaintance he was Register or Receiver at the land office at Danville—I don't now remember which. He was a fine lawyer, and what is better, he was an honest man and a warm and most devoted friend, of which I had many proofs during our long acquaintance. He had an amiable and most beautiful wife, who presided over his household affairs with great elegance and refinement.

He was finally elected to the Senate of the United States from Illinois, and next to Dr. Linn, of Missouri, he took the most prominent part on the Oregon question. I remember very well that he took the ground that we were entitled to all the territory south of 54° 40", in which many other Democrats agreed with him, until Col. Benton, of Missouri, proved conclusively that our claim did not extend beyond the 49th degree

of north latitude, and upon that line the American and English governments finally settled. He died before his term in the Senate expired. I have nothing to recall of him very peculiar or extraordinary.

He was a most estimable and kind-hearted man, and had but few superiors as a lawyer. He was widely and favorably known, and left but one son, who inherited a very handsome property from his father. Judge Josiah McRoberts was guardian of the boy, and at his majority paid him the handsome sum of thirty thousand dollars. He was a most faithful and honest guardian. He was a student with his brother Sam when I used to stop there. There was one thing peculiar about Judge Samuel McRoberts. He could give the heartiest laugh when he was amused of any man I ever heard. Now, worthy reader, a man can't laugh on paper; if he could, I would give you a specimen of his laugh that would make you roar.

There is one little anecdote connected with the name of McRoberts which I have just thought of and had come near leaving out. Nearly all the lawyers of Judge Harlan's circuit met at the Edgar county Circuit Court—amongst the rest McRoberts and myself. In those days we nearly all roomed together. There was a man by the name of Lodge, who was a bricklayer by trade, but who had arisen to be the superintendent of a large farm belonging to the Neffs, of Cincinnati, which lay not far from Paris, Ill. Lodge was in the habit of seeking every opportunity to talk with the judge and us lawyers, and would generally seize and run away with the conversation. One day he came in where we were all talking, and with great pomposity

and egotism told us the following little story, of which he made himself the hero. He said he had a watermelon patch adjoining the road from Danville to Paris; that he was one day sitting on his piazza, which overlooked this melon patch, and about a half a mile therefrom, and while sitting there he saw a gentleman coming along in his buggy, and when he got opposite to the melon patch he jumped out, got over the fence, pulled one of his finest melons, of which he had several thousand, and deliberately commenced eating it. He said he concluded that he would go down and have a talk with the gentleman. He edified and regaled us with a fine moral lecture which he delivered to the stranger, and said he told him if he had come and asked for the watermelon, he would have given it to him; and said he ended by walking up to him and deliberately knocking the melon out of his hand. He said the man seemed greatly mortified, and said to him: "Sir, I am a gentleman; my name is Bishop, a commission merchant at Evansville, Indiana. In my State, when we raised vast quantities of melons, it is not thought to be a serious matter or a crime for a man to help himself to a melon by the wayside, and if you feel very much concerned about it, here is the pay for it," pulling out his purse. Lodge refused, as he told us, and went on to deliver a lecture to Mr. Bishop on the rights of equality of men, saying that he did not consider that it conferred an honor on him that a commission merchant or any one else should take his melons without leave; and here he stopped. Lodge not being one of us, we lawyers did not relish his stories, and I was about

telling one that should make him give us a wide berth in the future, when McRoberts relieved us all, as he burst out in one of his great "horse laughs," which, to appreciate, should be heard. "Ha! ha! ha!" says he "that reminds me of a story I heard of William the Fourth when he was Prince of Wales. He was traveling *in cog.* through Canada, and at Montreal he strayed into a tailor shop, where the tailor and his wife were both sitting on the counter at work; the tailor, with crossed legs, pressing a seam with his hot goose, and his wife sewing away at some garment with nimble fingers. Neither seemed to pay much attention to the disguised royal stranger, when William, stepping up towards where the woman was sitting, turning his head, asked the tailor if that was his wife. 'She is a very pretty woman,' said the Prince, and pulling her head down towards him, he deliberately kissed her, and turning to the tailor very patronizingly, said, 'Now, Sir, you will have the honor of telling your children that your wife was kissed by the King of England. I am William, the Prince of Wales, and heir-apparent to the throne.'

"The tailor laid down his goose, put on his slippers, jumped off of the counter, and catching William by the shoulders pushed him to the door and gave him two or three lusty kicks on the seat of honor, and said, 'Now, sir, you will have the honor of telling your subjects that in one of your Majesty's Provinces you had your *posterior* kicked by a tailor.'"

Lodge looked like he could have crawled through an auger hole, and said: "Judge McRoberts, I hope you don't mean to say there is the same disparity between

Bishop and myself as existed between the prince and the tailor!"

Whereupon we all burst into a most uproarious fit of laughter, when Lodge left, and never visited us again.

AUGUSTUS C. FRENCH.

I KNOW no better place than this to introduce to the attention of my readers the late Augustus C. French, twice Governor of the State of Illinois. Mr. French was a lawyer by profession, and was one of the representatives from Edgar county in 1836 and '37. At that session he was elected Prosecuting-Attorney for the Fourth Judicial Circuit. He made a very good Prosecuting-Attorney, and became quite popular in the Wabash country. O. B. Ficklin, who had represented his district in Congress for many years, became alarmed for fear the Democracy would take French up and run him for Congress, so he determined to get him out of the way if possible. He represented to the party in the Wabash region that the Wabash was entitled to a Governor and advised the party to take up French. My opinion is, that Ficklin at that time had no idea that French could be elected, or could even get the nomination of a State Democratic Convention, which in those days was equivalent to an election. The delegates from the Wabash counties were all for French. Ficklin had baited his hook with the governorship, and French swallowed like a hungry fish. The two prominent men before the convention, if I remember correctly,

were Trumbull and Calhoun, but neither had a majority of all the delegates. They had many ballotings, French's friends standing by him to the last. Every expedient was tried by the friends of Trumbull and Calhoun to get the friends of French to go for them, but to no effect. They grew more and more bitter towards each other, and finally settled down upon French, who was really not the first, or even the second choice of the Democratic party of the State, but he was nominated, and of course, triumphantly elected. Nevertheless, he made a pretty fair governor.

French has long since gone to his last account, and I would be very far from saying anything that would derogate from his standing, or in the slighest degree tarnish his reputation. While I believe in the main he was a man of truth, and would not have told a falsehood that would tend to the injury of any one, he had a sort of diseased propensity for telling marvelous stories, of which he generally made himself the hero, many of which were as monstrously absurd and false as those of Baron Munchausen or Gulliver. A single one of these stories, which he told to every member of the bar on the circuit, will be sufficient to demonstrate his propensity in that direction. He said when he was a boy about ten years old, he ran away from his parents, crossed the Atlantic to England wended his way to the king's palace and seated himself upon the king's throne. He said he was sitting there very demurely when the king and his nobles came in, and the king espying him, came up to him smiling, and patting him on the head with great fatherly kindness said, "My son, what are you doing here and where do

you hail from?" "I answered him like a patriotic and true-born American citizen, 'May it please your majesty—for I knew he was the king—I am a Yankee boy from the United States of America, and the best blood of the Revolutionary patriots flows in my veins,'" said French. "Would you believe it?" he added, "instead of making him angry, he seemed actually delighted. He had me taken and treated to the best things the palace would afford, and had me sent home to my parents in the United States at the expense of the British government."

I wish here to say that, in my opinion, this Munchausen disposition to magnify is a disease like kleptomania. I never knew but one other man who had this disease as badly as French, and that was Judge William Wilson, of Carmi, Chief Justice of the Supreme Court of Illinois at that time. At the dinner table at Paris, Ill., on one occasion, when we were eating roast pig, he told the following story for the edification of those who sat at the table with him: He said he knew a pig that was so fat that you could not see its eyes, and you could just see the tip of its nose, and that its fat had swelled up its legs and tail to a considerable extent, and they had actually to feed it with a teaspoon, and when they killed it, it actually rolled about over the floor like a ball. We were afraid to laugh at this story, lest it might play the very d—l with our cases when he opened court after dinner.

I once heard Judge Wilson, in a conversation with a wealthy Englishman by the name of Yates, who had bought a prairie farm, and complained that he needed

shade trees, tell him to get the pecan and plant it, and in a few years (for it was a tree of rapid growth) he would have an abundance of shade, and besides, any quantity of the delicious pecan nut, for they averaged thirty or forty bushels to the tree; when everybody knows that the pecan tree, instead of being a tree of rapid growth, takes at least twenty years to bring it to anything like maturity; and when in full fruition, they don't average more than a bushel of pecans to the tree. This I know of my own personal knowledge, for I have gathered them myself fifty years ago.

I wish to repeat that this disposition to exaggerate is a disease, for I am sure that neither of these men I have mentioned would tell a falsehood that would injure or affect any man in the world.

I have at this place incidentally introduced Judge Wilson. I will give him a larger space in these memoirs in my future pages. For the present I will dismiss the Judge and Governor French, hoping I have said nothing, or left what I have said so unexplained, that my readers will entertain an unfavorable opinion of them; for there are no men who have passed away of whom I have kinder recollections.

THOMAS FORD.

THE next person whom I shall introduce to the acquaintance of my readers, is Governor Thomas Ford. His memory is very dear to me. In his history of Illinois he vindicates me from the charge made by the Abolitionists in 1837—that I was in complicity with the mob that killed Lovejoy. He has done me no more than justice. Mr. Edward Beecher, a brother to the celebrated Henry Ward Beecher, has taken especial pains, and that recently, to make it appear that I, with my adherents, stole into their Abolition Convention, held in Upper Alton in 1837, under an invitation to all persons in favor of the immediate emancipation to come in and take part in the discussion and proceedings of that convention. This statement he made in a speech in Chicago after a lapse of over 35 years. There are generally two views to be taken of a man's motives in what he does or says—the one charitable, the other uncharitable. I will take the charitable view of the subject, inasmuch as I know and can prove by many living witnesses, that the invitation was not to immediate emancipationists, but to "all persons in favor of free discussion." Under that invitation a great many of us who were not Abolitionists went into their convention, determined to show

the public that we were not afraid to discuss the question of political Abolitionism. They elected their chairman, the Rev. Mr. Blackburn, and a cominittee was appointed to draft resolutions for discussion. I was one of that committee, Mr. Edward Beecher another, and the third gentleman's name I do not now recollect.

They had a string of resolutions already prepared, placing the question on Scriptural grounds, and they asked me to join them in reporting those resolutions as the bases of discussion. They however reported them notwithstanding my refusal to join in their report.

I made a minority report, in which I presented a few resolutions as the basis of discussion, in which I placed the question on high legal and constitutional grounds. By this time we had a majority in the convention. The majority report was rejected and mine accepted. We discussed the question for over half a day, when it was brought to a vote and my resolutions were adopted.

These are the facts of the case, and not as Mr. Beecher stated in his speech at Chicage. I will therefore charitably say that Mr. Beecher has forgotten the the facts as they were, and has not willfully mis-stated them. He is a very old man now, and his memory might very easily have proved treacherous about matters which occurred so long ago.

Instead of participating in the riot that resulted in death of Lovejoy, I, for weeks and weeks before its occurrence, did all that I could to prevent such a catastrophe and bring about a compromise, which I

believe, in my heart, would have been accomplished but for Mr. Beecher. I was not in the city at the time of the riot, having gone to attend the Green County Circuit Court, and while there the news came of the riot—that Lovejoy had killed an outsider by the name of Bishop, who was an innocent spectator, and that Lovejoy was almost immediately killed by some one of the outsiders, the Abolitionists having fortified themselves in a warehouse belonging to Godfrey and Gilman, which stood at the water's edge of the Mississippi River. I now dismiss this whole question, leaving to history the task of doing justice.

Mr. Ford's account of that transaction, in his history of Illinois, is true. He exonerates me from all blame or censure. Mr. Ford, I believe, though an older man than I was, was a native of the State of Illinois, born in Monroe county. He was an excellent lawyer, and was a member of the Supreme Court of Illinois when there were nine judges, and when those judges performed circuit court duties, and held the circuit courts. He presided on the trial of the murderers of Col. Davenport. He was a terror to horse-thieves and murderers. He was a warm and devoted friend, and an equally bitter enemy, as my friend Trumbull and others have good reason to know.

At the election in August, 1842, he was elected governor over Joseph Duncan, by a majority of 8,313 votes. He was put upon the track but a few days before the election, to supply the place of Adam W. Snyder, the regular Democratic nominee, who had recently departed this life. During the whole of the time while he was governor I was a member of the legis-

lature from Coles county, and was often at his house and levees, and many is the private convivial and social time we have had together. My membership continued after he had ceased to be governor.

I remember on one occasion he came to me and told me that one I. N. Morris, a member from Adams county, had prepared resolutions and a speech to assail his official conduct while governor, and asked me to permit him to give out to the public that I would reply to Morris, and for every lick he gave Ford that I would give him two. Said I, "my old friend, I give you leave to make any use of my name you choose, and shall be only too glad if it serves you any purpose."

Ford did use my name in the manner indicated, and he was not attacked by I. N. Morris.

Poor fellow! When I was in Peoria many years ago, he came there with his wife and family, in almost abject poverty, he and his wife being both far gone with consumption. But, to the eternal credit of the wealthy people of Peoria, be it said, they, in the most delicate manner imaginable, without Ford knowing the source from whence it came, sent him dray load after dray load of everything necessary to eat and wear, also furnishing him with fuel, so that his and his wife's last days were made as comfortable as possible. I was told that upon one occasion when they came up with several dray loads of bed clothes, wearing apparel and provisions, Ford asked the drivers who had sent these things. They told him they did not know; they had been directed to unload them at his house, and that they belonged to him. A spectator of this scene said that Ford wept like a child, saying, "In God's name,

what have I ever done for this people that they should thus load me with acts of kindness?"

Ford and his wife died not very far apart. The wealthy people of Peoria divided his children amongst them and supported them as if they had been their own, looking after their culture and education.

Ford had a vein of dry wit and humor in him, mingled with a great deal of gall and bitterness. I remember his saying to me, on one occasion, alluding to a distinguished man, whose name I shall not mention, who was known for his office-seeking propensities, and his success in getting a great many, "Linder, what does he remind you of?"

"Indeed, I don't know, Governor."

"Well," says he, in that fine, squeaking voice of his, which all will remember who knew him, "he reminds me of a d—d old breachy hoss going around a cornfield, hunting some place where there is a rider off the fence, that he may jump over and help himself."

One of the principal objects which Ford had in writing his history of Illinois, as I heard him say on one or two occasions, was to do justice to some of the men who had taken part in the Black Hawk war, whom he thought had not been fairly treated or awarded their due meed of applause—General Henry, of Springfield, for one. He swore that he intended to strip the laurel from two distinguished men's brows and lay it upon the grave of General Henry.

Ford was no half-way man; he was either your devoted friend or your bitter enemy. I am proud and happy to say I was always numbered amongst the former.

These humble memoirs can add but little to the fame of Tom Ford, but they are the testimony which an old friend wishes to bear to his sterling worth. I now take leave of my old friend Ford. It is melancholy to reflect how many of the friends of my earlier days have gone to that bourne from whence no traveler returns, and left me, as I have said in another place, an old gray-headed man, living with a new generation.

JOSEPH DUNCAN.

JOSEPH DUNCAN was Governor of the State at the time I landed in Illinois, and was also Governor during the session of 1836 and '37. I remember his message was a very severe assault upon General Jackson and the Democratic party, which was referred to a select committee, of which John A. McClernand was chairman. As I have mentioned in a former part of these pages, Governor Duncan had been for many years a member of Congress from this State; was a Whig in his politics. He was thought to be immensely wealthy, but having been security for his brother-in-law, William Linn, Receiver of Public Moneys at the Land Office at Vandalia, who proved to be a defaulter to a very large amount, Gov. Duncan was reduced to poverty. It stripped him of all his fine lands which he had entered in the State of Illinois, which some were malicious enough to say he had entered with money furnished by his brother-in-law Linn out of the public moneys. How that is, I don't know, but certain it is he did not shun his liabilities, but gave up his property like an honest man. He died, as I have understood, a very devout Christian, and this is about all I now remember of Governor Joseph Duncan.

O. B. FICKLIN.

IT would be very unbecoming in me, were I to neglect to give my old friend and comrade at the bar, O. B. Ficklin, a place in these memoirs. He was among the first of the lawyers in the Fourth Judicial Circuit with whom I became acquainted. He preceded me in our advent to this State. He was here when I came, and was Prosecuting Attorney in Judge Harlan's circuit. He was an ambitious young lawyer of limited education, but of great perseverance and determination; he had an iron will, which made him successful at the bar and in politics. He was for a long time a member of Congress from the district in which we both lived. When nearly forty years of age, he married a young and accomplished lady, the daughter of Senator Colquitt of Georgia, a man of mark and decided talents. Mrs. Ficklin inherited her father's talents, and she and my family were on the most intimate terms, and my wife and children hold her in the highest estimation.

My associations and relations with Ficklin were perhaps more intimate and social and of longer duration than with any other lawyer of the Wabash country, spreading over a period of about twenty-five years; and perhaps the happiest moments of my life were in

our unrestrained conversation when riding together on horseback, going around the circuit.

Ficklin had a considerable vein of dry drollery about him, accompanied by a look and a comical lifting up of his eyebrows that would provoke a laugh from an anchorite. One little incident I will relate here, which amused me very much at the time. We were going to the Wayne county Circuit Court, in the month of March, on horseback, together. We came to the Little Wabash river, which was very much swollen by the recent freshets, and as we were bound next day to reach our destination, we concluded that our only alternative was to strip ourselves, tie our clothes upon our shoulders and swim our horses across, which preparation we speedily made; and when we were ready to plunge in, I told Ficklin to lead the way, as he was the oldest. Giving me the most comical look I ever saw, he said, "No, Linder, that won't do; you have recently joined the church (which was true), and made your calling and election sure, and if you should be drowned it would give you a speedy passport to heaven, and give me, a great sinner, a further time for repentance."

I laughed and plunged in, and found the water shallower than I expected, my horse having to swim only about ten feet. My horse landed me safely on the opposite shore; Ficklin followed, and after dressing ourselves we struck for Fairfield, the county seat of Wayne, and traveled till nearly twelve o'clock at night, and put up at a poor man's cabin, who treated us very hospitably, his wife cooking us a coarse supper of fat meat, corn bread, and coffee made from parched buckwheat, without sugar or cream; and I declare it was the best

meal of victuals I ever ate, not having tasted a mouthful since early that morning. To show you the kindness and hospitality of these poor and humble people, they actually gave us the only feather bed they had, and slept, themselves, on the floor. I objected to robbing them of their bed, but they would not listen to me. We had a sound sleep, you may well imagine; got our breakfast in the morning, and went on to Fairfield.

During all this twenty-five years, when Ficklin and I rode the circuit together, we were often as lawyers associated in the same causes, and not infrequently opposed to each other. Ficklin was a boon companion, a little vain, to be sure, as perhaps I was myself. He could sing as good a song as any man I ever knew, and tell as good a story. He was the prince of good fellows, and though we were rivals for political preferments, and he generally the successful one, I have nothing now but the kindliest recollections of O. B. Ficklin. If these memoirs ever meet his eye, I hope he will be satisfied that I have tried to do him justice in what I have written. I might have said a good deal more, tending to show the claims of Mr. Ficklin to the love and respect of his old friends and fellow-citizens; let this, however, for the present suffice. Old friend, I bid you good-bye!

AARON SHAW.

AMONG the men with whom I first became acquainted on the Fourth Judicial Circuit in 1836, was the Hon. Aaron Shaw, of Lawrenceville, Illinois, a man of considerable parts—more as an advocate than as a lawyer. He is still living, and I think he is now upon the circuit bench, though of this I am not certain; but he was Judge of the circuit court some few years ago. He was a warm and impassioned speaker, and a very warm and devoted friend to those he liked, and, like Governor Ford, he was a tolerably bitter enemy. He would fight at the drop of a hat, and woe betide the man who undertook to insult him! I would as soon have waked the lion from his lair as to have aroused the anger of Aaron Shaw; but when he was not angered, but in a social mood, he was one of the most agreeable men I ever knew. He loved his friends and hated his enemies. He was no half-way man, but spoke out his sentiments boldly and freely on every subject. I served with him in the legislature (I think it was in 1846) when the temperance question came before us. Shaw espoused it with great zeal and fervor, and carried me with him for the temperance cause, and I regret that I have not stood by it to the present day. His speech upon that

occasion was a terrible and scorching rebuke to saloon-keepers. It showed how they would smile and use their blandishments to entice into their dead-falls some warm-hearted and unwary man, and when they had robbed him of all the money he had and made a beggar and a drunkard of him, they would kick him out of doors and tell him to clear himself out of their house, as a vagabond and loafer. In this speech of his there was more truth than poetry.

I know but little more of Aaron Shaw. I know for a long time he was prosecuting Attorney on the Fourth Judicial Circuit, and made a very efficient and vigorous prosecutor. He had a beautiful and elegant wife, and their house was the centre of hospitality and headquarters for his professional friends. His dinners and social parties were of the most inviting and enticing character.

WM. F. THORNTON.

THE next person I wish to notice, though I am really afraid to introduce him, lest I should not do him full justice, is the late William F. Thornton, of Shelbyville, whom I have already incidentally noticed in connection with the borrowing of money in England on behalf of the Illinois and Michigan canal.

General Thornton was here before I came to the State. The first time I ever saw him was at the session of 1836 and 1837 of the Illinois Legislature. He addressed us frequently from the lobby on the subject of the construction of the said canal. One set of politicians were for what was called the shallow-cut, and another set for the deep-cut, to which latter class General Thornton belonged. His speeches were the most interesting and scientific that I ever heard. He was perfectly at home on all geological questions, and was listened to with profound attention and silence while speaking, during which time you could have heard a pin fall. He failed to carry his views at that time, but they have since been adopted, and the deep-cut system has prevailed, and the waters of Lake Michigan have been let into the canal, the current of Chicago river reversed, and the waters of Lake Michigan now

flow south through the canal into the Illinois river, and from thence to the Gulf of Mexico.

General Thornton has but recently departed this life, aged nearly ninety. He has left a large estate, worth nearly three millions of dollars.

General Thornton might be said to be a walking budget of facts and statistics. He was the most interesting conversationalist I ever heard, and equally interesting as a public speaker. Nobody attempted to talk in his presence, but only sat still and listened to him.

General Thornton I think was at the battle of Bladensburg, in the war of 1812, under Col. Monroe, afterwards President of the United States. He commanded a company there, I think. He was a chivalrous and gallant man, and an intelligent stranger, to look at him and hear him talk, would say, "what a very great man he is."

I do not know now which of our States was the native place of General Thornton, but I think it was Maryland. I know that for many years he lived in Kentucky, and married his wife there, who was a most amiable woman. I believe she is still living. She was a member of the old Ironside Baptist Church, and General Thornton always threw open his doors to the preachers of that denomination.

General Thornton was a Whig. He was violently opposed to Polk's Mexican war, and the way in which he managed it. We were holding court at Shelbyville at the time that Scott with his little army was in the valley of Mexico, from whom we had not heard for several weeks, and there was a prevailing opinion among the Whigs, that for want of reinforcements he was

hemmed in, and that he and his army were prisoners of war in the city of Mexico. General Thornton boldly asserted that it was so, and that Polk had done it for the express purpose of sacrificing a great Whig leader. He walked the floor at Tacket's hotel in a perfect *furor*, and addressing himself to Judge Treat, who was a Democrat and a friend of Polk's, said: "I tell you, Judge Treat, at this moment General Scott and his whole army are prisoners of war in the city of Mexico; all of which is chargeable to this d——d administration of Polk's." Thereupon General Thornton left.

The next morning the newspapers brought authentic news of Scott and his little army. It brought the welcome intelligence that they had stormed the city of Mexico, captured it, and that the stars and stripes had been run up on the walls of the Montezumas, and were then kissing the mild breezes of the city of Mexico. Judge Treat immediately sent for General Thornton, who quickly made his appearance, saying, "Judge Treat, you sent for me?"

"Yes, General," said the Judge, "We have glorious news from Mexico—General Scott has captured the city, and our flag is now floating from the Palace of the Montezumas."

General Thornton's eyes blazed like lightning, and slapping his fist in his hand, he said: "Hurrah for General Scott! By G–d, I told you so. I knew he would whip them if he had half a chance."

This literally convulsed us all with laughter, but General Thornton did not then seem to appreciate that it was produced by his inconsistency.

General Thornton resided for a considerable time

in the city of Washington; he published a small paper there when quite a young man, as he himself informed me. He was a great friend and admirer of Henry Clay. It would have done your heart good to have heard General Thornton deliver one of his eulogies upon the great commoner of Kentucky. He was acquainted with all the distinguished men that figured at Washington in the two houses of Congress in 1812, and from that period down to 1840. He knew most of them personally, and has given me most graphic descriptions of them.

I met General Thornton in a great many Whig conventions, where we both addressed the vast multitudes assembled on those occasions. At a great mass meeting held at Vandalia in 1844, he and Lincoln and myself were appointed to address the vast multitudes from the stand, which had been erected on the east side of the old State House. This, as I remember, was in the summer, and the committee of arrangements had provided shade and seats covering acres of ground. The shade consisted of green bushes covering a sort of scaffolding. General Thornton was assigned to speak upon the subject of the currency, Lincoln upon the Tariff, and I to close, ranging through all the subjects then under discussion between the two great parties, Whig and Democratic. General Thornton's speeches, to those who heard him, seemed like reading from some great author, who knew all he was writing about. He was essentially instructive, furnishing facts and *data* for other speakers to elaborate thereafter.

I was nominated, on his motion, at that mass meeting to run against O. B. Ficklin for Congress, in our

district. We had a glorious time of it at this mass meeting. My wife and two little boys were with me —one about six and the other a little over two years old. We stopped with Robert Blackwell, a glorious old Whig, the uncle of the late Robert Blackwell, a distinguished lawyer, who died in the city of Chicago some eight or ten years ago.

I was in the hey-day of life, being in the very prime of my youthful manhood, and though my party had not the strength to elect me to Congress, I never mourned over my defeat, but I did shed tears—hot, burning tears—over the defeat of Mr. Clay, who was the Whig candidate for President, who would have been elected had not the Abolitionists run a ticket of their own in the State of New York, and that defeated him by a few votes. And, oh, what a President he would have made! It seems to be a part of the history of this country, since the days of Madison, Monroe and Jackson, that no man of pre-eminent ability should ever be President of the United States. Henry Clay, Daniel Webster and John C. Calhoun, who did more than any three men of their day to adorn and embellish the history of their country, were quietly laid upon the shelf, and men of second-rate talents, with the exception of Lincoln, have from that day to this filled the presidential chair.

I was one of the Clay candidates for election in 1844, as well as a candidate for Congress, and besides addressing vast crowds in my own State, I was sent for to come into Indiana to address the people there. I remember of speaking to a vast crowd in Princeton, Indiana, in connection with the late Joe Marshall, of

Madison, Indiana, and I think I never heard a greater orator. He looked the great man, and physically and intellectually presented to his audience a sort of leonine aspect. He had few equals, if any, in the west, and I think no superior; but death, that spares none of us, has called him away, but he will be long remembered by the people of Indiana.

The reader must pardon this digression, as I was giving a sketch of General Thornton.

That convention closed very harmoniously, and my acquaintance with General Thornton continued for many years afterwards. He was the father-in-law of Anthony Thornton, late Supreme Judge of the State of Illinois, a man of marked ability and an excellent lawyer, whom I may take occasion to notice more extensively in these pages.

I feel loth to dismiss General Thornton at this place, feeling that perhaps I have not done him full justice; but I take pleasure in saying here that he had read more and knew more than all of us, and none of us ever hesitated (of the Whig party) to give him the first place in our ranks. Thus much for General Thornton. He was my friend, and I loved him, but for the present I take leave of him. If he comes in again, it will be incidentally.

JOSEPH GILLESPIE.

ANOTHER man whose name I desire to introduce at this point, and whom I met at the Edwardsville Circuit Court in 1837, was Joe Gillespie, of Madison county, Illinois. He was then a young man, and not eminent as he afterwards became, but it struck me then that he had the stuff in him to make a man, and I found out afterwards that I was not mistaken. We formed an acquaintance and friendship then that has lasted through many years and grown with our age, and if there is any man in Illinois who is no blood relation of mine, whom I love and esteem more than *Joe*, I cannot call him to mind at this moment.

In after years we met in the Legislature of Illinois —he in the Senate and I in the House of Representatives. We were mutually united in our efforts to get a railroad from Terre Haute to Alton, through Edgar, Coles, Shelby, Montgomery, Macoupin and Madison, which the reader will discover was not a straight road, and we had to fight a contemplated rival road from Terre Haute on a straight line to St. Louis. We, Joe in the Senate and I in the House, contended that it should be the policy of the State of Illinois to build up towns and cities at the termini of her railroads, and

not allow roads to be constructed through it so terminating as to build up a city outside of its limits that would crush the cities on our western borders. Our object was to build up Alton, and the reader will perceive that a road from Terre Haute to a point opposite St. Louis would overshadow our road and prevent its construction. Hence, all our efforts were directed to prevent their getting a charter till our road was completed, which we accomplished, Joe and I standing shoulder to shoulder in this railroad war.

I have some anecdotes to relate in reference to friend Joe which I defer to another page. He was a very social, kind-hearted man; a plebeian by birth, not of liberal education, but possessing a very strong mind. He had read Coke's Commentaries on Lyttleton, and had made himself familiar with the black-letter law of England. He had studied Chitty on Pleading with passionate fondness, and was perfectly at home in the science of pleading. He was recently on the circuit court bench in his circuit, and many of the lawyers of that circuit have told me that he made one of the best judges they ever practiced before. Using rather a vulgar phrase, "You might bet your bottom dollar on his honesty." He has been succeeded by William Snyder, a very intelligent and well-read lawyer, and an honest man, but I do not believe that he will make a better judge than my old friend Gillespie.

I think it was in the year 1841, the times being very hard and money scarce, I concluded to try my luck in my old Mississippi circuit. I mounted my pacing horse and struck for Kaskaskia, by the way of Nashville, Washington county, Ills., where I expected to

find the court in session, a distance of over one hundred and twenty miles from Charleston, my home. This was in the early part of the fall of the year. I noticed, when passing over one of the prairies through which my road lay, a singular fibrous little vine which intertwined itself around the tops of the prairie grass and had no connection by root with the ground. I asked a young man whom I met in the road if he knew what that vine was. He said they called it the "love vine." It was a very singular phenomenon to me, having no more connection with the ground than a spider's web.

I went on my way towards my destination, and met the St. Louis stage going east, and after it had passed me about seventy-five yards, I heard some one crying out behind me, in broad Irish brogue, "Linthur, Linthur, Linthur!" I turned around and perceived the stage had stopped, and seeing a man's head protruding from the stage window, I rode up and found it to be the smiling face of my old Hibernian friend, General James Shields, with whom I conversed about fifteen minutes, who told me he was going to Washington City. We shook hands and parted.

I arrived safely at Nashville; found the court in session, Judge Breese presiding, and I was overjoyed to find attending this court my friend Joe Gillespie. By the influence of one or two of my old friends with whom I had served in the legislature of 1836 and 1837, I got several fees—enough to pay mine and Joe's tavern bill—Joe and I having formed a sort of temporary partnership. It was agreed between us that Joe should puff me up as one of the greatest lawyers

and advocates that ever made a track in Southern Illinois; and we were to divide the spoils between us.

The next court was at Kaskaskia, and we learned on the way that our hotel keeper, an Englishman, whose name I can't call to mind at this time, where we all contemplated putting up, had a lawsuit in which he was plaintiff. It seems that some young buck in the town had had a fight with him (I now remember the hotel-keeper's name—it was Vandeevers), and in that fight Vandeevers had got a piece of his ear bit off. Joe Gillespie turned to me as we were riding along the road, and said, "Linder, by h–ll, there's a chance to pay our hotel bill, and I'll bait my hook and go for him in half an hour after we land. Joe was as good as his word, and told the hotel-keeper what an almighty big lawyer I was, and that he ought to employ me as soon as possible, and not let the other side get ahead of him; but Vandeevers would not bite at the bait, but the defendant and his friends came and gave me a fee of twenty dollars to defend him. This was getting into a very awkward predicament, to appear against my landlord, but there was no help for it. It became known that I was employed for the defense, and the court house was crowded with the citizens of Kaskaskia, ladies and gentlemen—among the rest, Judge Pope and his two beautiful daughters.

Vandeevers began to repent when it was too late; but to make up the loss he employed Lyman Trumbull to assist his lawyer, David J. Baker, who was called the Lord Coke of Illinois. But with all his skill in pleading, he made a great mistake in framing his declaration. He had inserted but a single count.

I plead *son assault.* The proof showed that there had been two fights on the same day between the parties, with an interval of about half an hour between them. Under the pleading, I had the opening and closing. The rule of law in such a case is, and always has been, under a plea like mine, if the defendant shows that there was one fight in which the plaintiff made the first assault the jury must find for the defendant, though there might have been half a dozen other fights in which the defendant was the aggressor; and Judge Breese so ruled and instructed the jury, on my motion, and they returned a verdict for the defendant; but the argument of the case before the jury was the great treat to the spectators present. Vandeever's lawyers had magnified his wrongs and injuries before the jury, complaining that he had been disfigured and shorn of his fair proportions, having a piece of one of his ears bitten off, and otherwise wounded, bruised and maltreated. In my closing remarks, knowing that I was safe on the law of the case, I determined to give the plaintiff the hot end of the poker, so I didn't spare friend Boniface. "Gentlemen of the jury," says I, "My client did not intend to disfigure this man by biting off his ear, as he has told me himself. He always knew that he had too much ears, and his only object was to trim him up and make him look more like a man than a jackass. Look at him, gentlemen of the jury, and tell me if he was not a fool for not lying still and allowing my client to finish up the job he had commenced, by trimming his other ear."

I went on in this ludicrous strain, to the great amusement of the spectators, and though Breese stormed

and raved, neither he nor his sheriff could prevent the loud peals of laughter that shook the old Kaskaskia court house. At that time Kaskaskia had the most refined and cultivated society in the State of Illinois, of whom a large proportion were present on this occasion. Judge Pope went into a perfect paroxysm of laughter. He was a Kentuckian, and a great friend of mine. He made a party thereafter expressly in my honor, where the court and all the bar were invited, which was graced by the *elite*, beauty and fashion of the town. It was not one of those empty parties where they hand around a little cake and other things which make a man dyspeptic; but it was a supper, with roast turkey, wild fowl, venison and other things which make my mouth water now to think of. But to return to the trial.

After the jury had brought in their verdict for the defendant, and Baker and Trumbull had done their utmost to obtain a new trial, and failed, Vandeevers left the court house in a perfect *furor*, swearing vengeance against me when I should next make my appearance at his table; but I had hosts of friends, who, together with my friend, Joe Gillespie, went to him and told him if he did not want his other ear trimmed he had better let me alone. He was not slow in taking the hint, and taking counsel from his fears, when I made my appearance at the next meal he treated me with more consideration than he had ever done before. He turned to Gillespie, who sat near me, and said:

"If I had taken your advice, I might have avoided this result."

"Yes," said Joe, in his quiet way, "but you was too d—d a fool, Vandeevers, to take it." He laughed heartily over Joe's reply.

Joe and I had enough money to pay our bills, and a surplus left with which to settle our bills with our landlord on ahead of us.

We traveled from there on up to Monroe county, Waterloo being the county seat. We made some fees there, and from there we went to Belleville, St. Clair county, and after court was over there, Joe and I jogged on together socially to Edwardsville, Joe's home. Here I made several hundred dollars.

Joe and I were more like brothers than any two men who ever lived who were not brothers. I met him during the last presidential election, at Edwardsville. We spent a whole Sunday together, talking over old times, and you may rest assured we had a hearty laugh over the Vandeever trial. While it is pleasant to bring up these old reminiscences, yet, worthy reader, there is a bitter mingled with the sweet: and that is the thought that in a short time we must pass away—and where will we be? Echo answers, "Where?" I now take leave of my dear old friend, Gillespie. If these memoirs should meet his eye after I am gone, I know he will shed a tear to my memory.

JOHN PEARSONS.

I OWE it to my own feelings, and old friendship, to introduce here an old friend of mine who has lately departed this life—I mean the Hon. John Pearsons, late of Danville, Ill. Our acquaintance commenced in 1836, on Judge Harlan's circuit. I first met him at the Edgar County Circuit Court, in the fall of 1836. We traveled round the circuit together, and were often associated together in the same causes. I had been elected to the legislature at the previous August election, and being both Democrats, in jogging along on horseback together, he arranged my programme in the coming winter's session. I remember his saying to me, "There will be an attorney-general to elect by the legislature at the coming session, and you must fill that office." I laughed at the time, and told him I thought it a wild and Utopian scheme, but it nevertheless came to pass.

Pearsons made his appearance at that session of the legislature, and took an active part in promoting my election. We members from the Wabash country took him up and elected him Judge of the circuit court, of which Chicago, in Cook county, was a part. This gave great offense to the lawyers of Chicago—Butterfield, Scammon and others—who, having many

good lawyers amongst them, thought we had no right to import a judge from the Wabash country, outside of their circuit, a stranger to their lawyers and their people. But I remember that we of the Wabash at that time, had no great love for these Yankee Abolition lawyers. Some of our members from Judge Harlan's circuit who did not like Pearsons voted for him to get rid of him. I recollect old Jonathan Mills, who was the member from Edwards or Wayne, and I don't now remember which, who had very little love for Pearsons, voted for him. He said he had two objects to accomplish—one was to get him out of our circuit, and the other was to annoy the d——d Yankee Abolition lawyers of Chicago. But Pearsons had better never have accepted the office, for they made his seat so hot for him that he was forced to resign before his time expired. I remember that while he was on the bench, before he resigned, Scammon or Butterfield, who had taken exceptions to some of his rulings, presented him with a bill of exceptions, which he refused to sign, and they finally obtained a peremptory *mandamus* upon him, commanding him to sign it, which he failing or refusing to do, the Supreme Court issued its attachment against him, and the sheriff followed him and arrested him in Clay county, Ill., and brought him before the Supreme Court, and he was fined the sum of one hundred dollars, which I got the legislature, when I was a member in 1846 or 1847, to re-pay him with interest; and on that occasion I handled those Chicago lawyers without gloves, which Scammon remembers to this day.

Pearsons was a very warm friend and an uncompro-

mising enemy. He was kind and charitable, and when the news came from the South some few years ago that they were suffering for want of food, Pearsons got up a cargo of corn and other provisions, and had them transported at his own expense to Atlanta, Georgia, and distributed them amongst the needy, which must have cost him several thousand dollars.

He departed this life a few months ago, leaving a very handsome estate to his family. It might be said of him, if it were not sacrilegious, that "he was a man of sorrow and acquainted with grief." He had some tragical occurrences in his family, which were a sore trial to him—that required all his patience and fortitude to endure; but he proved equal to the occasion, and has now gone to his last account, where, I trust, he will be dealt with with that mercy which he showed to others. If he had his faults, he also had his virtues, the latter of which, I think, greatly overbalanced the former.

JAMES C. ROBINSON.

WORTHY reader, I will now introduce to your notice James C. Robinson, now of Springfield, formerly of Clark county, Illinois. He is a remarkable instance of a man's rising by force of his native talent to the highest distinction, with but little or no education. When I first knew him, he lived near a little village in Clark county, called Westfield. He was a justice of the peace. This village was about ten miles from Charleston.

The first time I remember him very distinctly was when I was called to attend to a case before him, Ficklin being on the other side. I remember we had a considerable struggle over the case, but I beat Ficklin, for I had the right side of the case, and Robinson gave such a clear view of it in his decision that it struck me that he deserved a higher place than a mere justice of the peace, and I advised him to educate himself, and to read law, get a license and practice. He did so, and his success has vindicated and sustained my judgment. He went to Marshall, studied law and commenced the practice, and success attended his earliest efforts.

He was a Democrat, and it was not a very long time before they took him up and nominated him for Congress, and he was elected and continued to represent

his district for several successive sessions, and has gained for himself much credit for the ability he has displayed as our representative. He has since removed to Springfield, Illinois, where he has practiced his profession with great success, especially in the criminal department. He was the principal lawyer in the defense of the man accused of the murder of Murray McConnell, at Jacksonville. The name of this man was Robinson, and I have understood from those who heard the trial, that he was largely indebted to the ingenuity and eloquence of James C. Robinson for his acquittal. James C. Robinson was run once or twice by the Democracy for Governor of this State, but of course was defeated, the Republicans being largely in the majority. He may be regarded as a very remarkable man, and set down by the side of Lincoln, and Andy Johnson of Tennessee, in that he has risen to high distinction in spite of the deficiencies of his education, by the force of his native intellect. I have heard him make a good many stump speeches, and I declare here that I have no recollection of hearing any man on the stump that was his superior, unless it might have been Lincoln or Douglas. Besides possessing great powers of natural oratory, he was gifted with great conversational power, and I have often been delighted and edified with his narrations of events that were known to him and not to me.

What may be Robinson's future I know not; but if he shall continue as he has begun, and add to his stock of information, no man can say where he may land, or limit his elevation. He is now a young man—not exceeding forty-five years of age—of a fine constitu-

tion and health, and naturally an intellectual giant. Who shall undertake to limit such a man? This is but the beginning of his history, and I predict a very small part of it. Some abler pen than mine will finish it after I am gone, when he has climbed to the highest round in the ladder of fame.

At this point I must leave friend Robinson, fearing that I have not done him full justice; but he was my friend and I loved him, and I still love him, and I desire in these memoirs to give him a place. My best wishes will attend him through life, and the blessings of an old man that never injured anybody will rest upon his head. Friend Robinson, *vale!*

JOHN J. BROWN.

I WILL now introduce to the attention of my readers one of the most distinguished names that has figured in the history of Illinois—a most learned and accomplished lawyer, and a ripe and finished scholar—the late John J. Brown, who died in the city of Chicago, but who lived the greater part of his life in Danville, Illinois. During his residence there, and up to the time of his leaving there, Danville was but a mere village, but has since become a city of no mean importance by the concentration of important railroad lines at that point. Its growth has been very rapid, and it now bids fair to be one of the principal cities south of Chicago in the State of Illinois. I should say it numbered to-day fifteen thousand inhabitants. About six railroads pass through that place, and it is not saying too much that in ten years it will have a population, of thirty thousand souls. Some of the richest coal mines in Illinois are to be found in Vermillion county, and across the line in Indiana. Danville is the county seat of Vermillion county.

John J. Brown came from the State of Virginia, and settled in Danville some time in 1839; it may have been as late as 1840. He soon attracted public atten-

tion and commanded a fine practice. He was one of the most accomplished lawyers of that day. He was a cousin to the Lamons, and of Ward Lamon, the partner of Abraham Lincoln, who accompanied Lincoln to Washington, and was either his private secretary, or had some position in his household affairs. Suffice it to say, Lincoln had sufficient confidence in him to send him to Charleston, South Carolina, before the breaking out of hostilities, on a mission of peace. I have said thus much to give the reader an idea of John J. Brown and his connections. He died many years before our Civil War.

He was a Whig. Dr. William Fithian was also a Whig, and had filled high offices in that county. Somewhere about the year 1842 or 1844 he was a candidate for the State Senate, and John J. Brown was brought out to oppose him, and it becoming manifest that Fithian would be beaten, he, Fithian, being as cunning as a fox, just on the eve of the election had a most scurrilous assault printed and published in hand-bills against himself, in which he was charged with the grossest crimes known to the decalogue. This publication was kept secret, and on the morning of the election Fithian despatched his agents to all the precincts in the county. The hand-bills were headed "*Pro Bono Publico*," and signed "many citizens." They were distributed just before the polls were opened, amongst the voters, being read by Fithian's emissaries and agents, the people became perfectly maddened, supposing it was the work of John J. Brown and his friends, and many of his warmest friends turned around and voted against him, and he was defeated by

a small majority through the means of this miserable trick and fraud. In a very short time after the election was over, it became known, and fully authenticated that Dr. Fithian was the author of the whole thing, and that John J. Brown and his friends had no agency in it. For a good while Fithian kept himself concealed, and did not show himself, for such was the state of the public mind, that he would have been torn in pieces if he had made his appearance in public. It thoroughly damned him, and he has gone by the name of "*Pro Bono Publico*" ever since.

Brown was one of the most classical and accomplished speakers I ever heard. He made that impression on the people of Chicago after he came here.

Poor fellow! he had his faults, as we all have, over which it is our duty to draw the veil of charity; but no foul blot or stain was ever fixed upon his character, either as a lawyer or as a man. Those who knew him will indorse this statement as true, if these memoirs ever meet their eye. He was an honor and ornament to the bar of Illinois, and I wish to God we had more such men to redeem the profession from the reproach which the chicanery of some of the members of the bar have brought upon it.

I do not believe that Dr. Fithian was a bad man; for the idea prevailed then, as it has prevailed through all time, that all things were fair in politics, love and war. Fithian being the choice of the Whig party and nominated by them, and John J. Brown being also a Whig, having been brought out by the Democrats to defeat a man of his own principles, it is but natural that he should have resorted to almost any expedient to defeat

Mr. Brown. While I don't justify the one to which he resorted, I am not disposed to judge him very severely. Fithian has always been my friend, and as a man I esteem him very highly, notwithstanding the "*Pro Bono Publico.*"

This sketch ends here, so far as John J. Brown is concerned, but I will continue my remarks, showing my friendship and connection with Dr. William Fithian.

Many years ago, Dr. Fithian got into a paper war with a man of the name of Cassady. They were both members of the Methodist church. Cassady commenced the war, and charged upon Fithian that he had murdered his wife, and many other crimes not necessary now to mention. Fithian replied, denying the charges, and employed O. L. Davis, then a young lawyer of Danville, now judge of the circuit court of that place, to bring a suit against Cassady for written slander, and immediately wrote to Lincoln at Springfield and myself at Charleston, retaining us in the case for him. We made our appearance at the next term of the court, when the case would come on. Cassady had John Murphy, of Danville, and the celebrated and distinguished Ned Hannegan, of Covington, Ind., as his lawyers.

EDWARD A. HANNEGAN.

WORTHY reader, you know, perhaps, but very little of the Hon. Ned Hannegan, but he had been Senator in Congress from Indiana, and had borne off the palm as the most eloquent man that had ever opened his lips in that Senate, and he had also been our Minister, for a good many years, to Prussia. Judge David Davis was then the Judge on that circuit, and as it is not my intention to go into the particulars of this trial, I wish only to say that we got a verdict of five hundred and fifty-six dollars against Cassady.

We all roomed together at the hotel—Judge Davis, Hannegan, Lincoln and myself—and Hannegan gave us a sketch of his court visits and the court dinners that were given him, and the blunders that he made. He said that the first dinner that he went to he didn't know how he should dress, "but," said he, "I went to our consul and his wife, who had been in that country a long time, and they rigged me out in appropriate costume; so I started, but got there a little too late. This dinner was given by the Prime Minister, Count somebody, whose name I cannot now recall, and they were all sitting at the table. The Master of Ceremonies ushered me in and placed me near the head of

the table; the Minister and all his subordinates, or staff, whichever you may wish to call them, sat there in their military uniforms, wrapped in awful silence. A servant brought me a bill of fare, and I indicated to him that I would take a plate of soup, which was brought me. During all this time not one word had been spoken, and great drops of sweat rolled down my face. The other side of the table from which I sat was garnished with the most beautiful ladies I ever saw, and while I was doing justice to my plate of soup, a sweet voice from the other side of the table, in the purest English, said: 'Mr. Hannegan, how have you enjoyed yourself since you have been Minister to Prussia?' I laid down my spoon and told her that hearing my own language spoken with such purity and sweetness there, I felt as though it was a voice from one of the angels from heaven. (She was the wife of the Count, the Prime Minister.) 'Take care, Mr. Hannegan,' said she, 'or you will make the Count jealous.' 'O!' said I, 'I have no fears of that, for he don't understand a word of English.' 'Aye,' said she, 'he don't converse in the language, but he understands every word of that language which is spoken in his presence.' After enjoying a hearty laugh, in which the Count himself joined, and after the interchange of many compliments between the countess and myself, I arose, made my bow and took my leave."

After Hannegan retired from the room, Judge Davis, Lincoln and myself, all agreed that we never heard a man of such interesting conversational powers in our lives.

I should like sometime hereafter in the memoirs,

to give to Senator Hannegan a wider space and a more extended notice. For the present I must pass on to the men who lived, and to the events which occurred, in the State of Illinois.

SIDNEY BREESE.

I HAVE not as yet regularly taken up Judge Breese, and so far as he has been noticed in these pages, it has only been incidentally, and I am somewhat loath to sketch him at all, inasmuch as it has been so extensively done by other and abler pens than mine; but lest his friends should think I purposely omitted him, if I should not notice him as I have other distinguished men, through some unworthy or improper motive, I will in this place give my personal recollections of Judge Breese, and what I have learned of him from reliable sources. He was a citizen of this State when I came here, and lived, I believe, in Carlyle, Clinton county, Ill. He first settled in Kaskaskia, which was the early home of some of our most distinguished men, to wit: Judge Pope, Elias Kent Kane, David J. Baker, and others. Breese was quite a young man when he came there, and it was shortly before or after we ceased to be a territory.

Breese was a man who descended from a very wealthy and aristocratic family, which lived, I believe, in the State of New York. He received a collegiate and liberal education, and studied his profession of the law, and then came West to seek his fortune, and by dint of his own talent and exertions to work his way up to

fame and distinction, which in time he effectually did. He was elected to the circuit court bench, I think at the session of 1834 and '35, which took place before I came to the State. I have already said that he presided on the circuit of which Vandalia, the seat of government, was a part. He was considered, and I think justly, the most learned and profound jurist in the State. He continued on the circuit court bench until he was elected to the Senate in Congress in 1842, over Stephen A. Douglas, who was then a candidate for the Senate for the first time. In the caucus that nominanated Breese, he only beat Douglas, I think, two votes.

It was at this session of the legislature of 1842 that that they changed our judicial system to the extent of getting rid of the circuit court judges, and enacting by law that the judges of the Supreme Court should perform the duties which had theretofore been assigned to the circuit judges. We had then only four Supreme Judges, and this legislature provided by law for the increase of their number to nine, which made five additional judges. The object was to have a Supreme Judge for each circuit, the State being then divided into nine circuits. I remember distinctly that Douglas was elected one of those five judges, and was assigned to the circuit in the military district, of which Schuyler county composed a part.

Judge Douglas was quite popular among the younger members of the bar, but for want of sufficient dignity rather horrified some of the older ones; for he would occasionally at dinner vacation sit down on a brother lawyer's lap and rattle away about politics and past

times, for it was hard for him to forget his electioneering traits. He was however soon taken off the bench and elected to the House of Representatives in Congress.

The reader must pardon this digression and permit me to return to Judge Breese, who served out his six years in the Senate of the United States, and was a candidate for re-election, and would have been elected (for he had made one of the most dignified and able Senators of any member of that august body) had it not been for two circumstances: the first was, he got into a newspaper controversy with Senator Douglas, who by that time had passed up from the House of Representatives in Congress to the Senate. In that controversy Douglas got greatly the advantage of him. The other circumstance was that General Shields was the opposing candidate to Breese. He had come home from the Mexican war (where he had been wounded, as I have before related) all covered with glory, and the Democratic party gave him the nomination and elected him to the Senate.

Breese was never returned to that body. He continued, however, but a short time in retirement, when he was elected by the people of his county a member of the popular branch of our State Legislature. I was a member of the same body at that session. It was my last year in the Illinois Legislature. We elected him Speaker of our House, and he filled that position with great dignity and ability.

The convention to form a new constitution having made the judges of the Supreme Court elective by the people, and re-established the old circuit court system,

save that those judges were also elected by the people, and cut down the Supreme Judges to three—Judge Breese, in 1855 was again elected Circuit Judge, and two years later, on the resignation of Judge Scates, he was again, for the second time, elevated to the Supreme Bench, which position he has held ever since. He has written and delivered more of the opinions of that court than any other Supreme Judge that ever sat upon that bench. He is now more than eighty years of age, and with the exception of his being gray-headed, looks to me almost as vigorous, physically and intellectually, as he did twenty-five years ago. Certainly his recently delivered opinions show no decline in his mental powers. I calculate that he will die with his harness on—a member of that court. It is the very station for which he seems to have been cut out; he was not adapted, either by nature or education, to be a politician—to go into the hustings and mingle with the crowd—but he was formed for a great judge, which he is to-day.

I will go back and relate a circumstance which occurred in his early life, and which hung like a dark pall over his political aspirations. When General Jackson was a candidate for the Presidency, some of his enemies got up a picture, which they supposed would do him great injury. It represented six coffins and six soldiers, each sitting on one of them, who had been tried by a court martial for desertion and condemned to be shot, while he lay at New Orleans with his little army, whom General Jackson refused to pardon, although entreated to do so by their mothers with tears and supplications. Gen. Jackson could not do it without demoralizing his whole army, and the British army,

which lay in great force on the other side of his breastworks, might have entered as triumphant victors, and sacked and pillaged the city, for their watchword was, "Booty and beauty." Gen Jackson therefore permitted the sentence of the court to be executed.

Now Breese was charged, and I believe it was proven upon him, with having circulated these odious coffin hand-bills. Nothing ever made the friends of Jackson so mad as these vile and miserable pictures, and they never forgave any man known to have circulated them amongst the people. Breese stoutly denied having had any participation in their circulation, but he had to profess Democracy for many years and do good service in the cause before he could overcome the effects of this charge. It was finally frittered away, and Breese was admitted into close fellowship with the Democratic party.

Breese married a Miss Morrison, who is, if living, one of the most amiable and estimable ladies of the State of Illinois. She belonged to a very wealthy and arristocratic family, and is, I believe, a cousin of Col. Don Morrison.

Though Breese has been highly honored, yet I am frank to confess that he has never had awarded to him the full measure of his deserts; for he has certainly done more to give character to our judicial history than any one, two or even three men in the State of Illinois. On the examination of our fifty or sixty reports, it will be found that he has delivered opinions elaborating and elucidating every principle of law, both of the common law and equity, and many more on the science and correct mode of pleading. Any intelligent student

of law who will read and closely study all of Judge Breese's opinions and digest them thoroughly, will be competent to go into the highest courts of the Union, and would be at home even on the Queen's Bench of England.

Breese possessed no mean conversational powers, and at times in his social intercourse was exceedingly pleasant. His face and head always struck me as strongly resembling the portraits I have seen of the First Napoleon. Though at times eminently social, and could win with one of his smiles the heart of almost any young lawyer, yet at other times he was reticent and supercilious, and could make his associates feel their inferiority. To this last statement I presume there are many of his old acquaintances now living who will bear testimony.

I will relate here a very amusing incident which occurred in his court at Edwardsville. A very respectable farmer had been indicted for negligently setting fire to the prairie. His object was to burn the grass inside of his fence and not let it get beyond his enclosure. He started the fire there, but for want of sufficient force it got beyond it, and burned some of his neighbors' haystacks. The neighbors, however, got together and extinguished it before it did any very great harm.

The jury brought in a verdict of guilty, the assessing the penalty belonging to the court. The extent of the penalty which the court could inflict by the statute was not less than five nor more than one hundred dollars. The man had been defended by my friend Joe Gillespie. The proof showed that the

accused was a man of excellent character, a good neighbor, and that the act for which he had been convicted was more accidental than otherwise.

Breese, in passing sentence, said this was a grave offense, and under other circumstances he would be induced to inflict a fine to the utmost limit allowed by the statute, but the object of the law was not vengeance but rather for reformation and prevention; he would not inflict exemplary punishment. This man having shown a good character, and this probably being the first offense, "I shall therefore fine him only in the small sum of seventy-five dollars."

Joe Gillespie, who had been sitting very quietly, sprang out of his seat as if he had been shot, and exclaimed, "Jesus Christ! God Almighty! the moderate sum of only seventy-five dollars!" He picked up his hat and left the court room.

Reader, you should have been there to have heard the peals of laughter that reverberated through the old court house. I expected Breese would fine Joe, but he didn't. He seemed to enjoy the thing as well as anybody else, and chuckled, and his old fat sides shook from half-suppressed merriment.

I believe I have said about as much of Judge Breese as it is necessary to insert in this place.

JOHN REYNOLDS.

WHEN I came to the State of Illinois, in 1835, among the most prominent men was Gov. John Reynolds. He had been Governor of Illinois in the time of the Black Hawk War, and had also been a member of Congress in the House of Representatives for the district, including Belleville, the home of Gov. Reynolds. He himself has written a history of Illinois, but I have never had the pleasure of its perusal, and cannot speak therefore of its merits or demerits. He lived to a very advanced age, and wrote his book during his latter days. He must have been eighty years of age when he wrote it.

I knew him well. Our acquaintance commenced in 1836 and '37, at Vandalia. When I lived in Alton, in the latter part of 1837, he was a candidate for Congress and was elected. I remember that I supported him. In speaking of the offices he had filled before I came to the State, I neglected to mention that he had been Judge of the Supreme Court of Illinois, when the judges of that court performed circuit court duties.

Reynolds was somewhat of an odd man and feigned to be illiterate, when in truth he was a ripe scholar (which I have from the best authority), understanding

the Greek and Latin perfectly, and being familiar with the ancient classics. He had drank deeply of the waters of the Pierian spring, and had not allowed himself to be intoxicated by shallow draughts. But these accomplishments of his he seemed more disposed to conceal than to blazen forth to the world.

There is a very amusing anecdote told of him (which I believe he has given in his history of Illinois), which occurred while he was holding one of the terms of the circuit court at Edwardsville. At that term a man by the name of Green was tried before him on the charge of having committed murder, and was convicted. Reynolds, who was always seeking popularity whether on or off the bench and disliked to have the ill will of any one, even of a murderer, after the verdict of guilty had been read by the clerk in open court, turned to Green, his face all beaming with sympathy, and said: "Mr. Green, I am truly sorry for you; the jury have found you guilty of murder, and I suppose you know that you have got to be hung." "Yes, your Honor," said Green.

Reynolds then went on to say: "Mr. Green, I want you to understand that this is none of my work, but of a jury of your own selection. I would take it as a favor of you if you would communicate this fact to your friends and relatives. The law makes it my duty to pass sentence upon you and carry out the verdict of the jury. It is a mere matter of form, Mr. Green, so far as I am concerned, and your death can in no way be imputed to me."

Reynolds had a peculiar way when he wanted to make his remarks impressive, of laying the open palm

of his hand on his forehead and drawing it down slowly over his face. Making this manipulation, he said to the convict: "Mr. Green, when would you like to be hung?"

"Your Honor," said Green, "if I had any choice in the matter, I should not like to be hung at all; but as it seems I have not, I have no preference of one time over another."

Reynolds, turning to old Jo Conway, the clerk, said: "Mr. Conway, look at the almanac and see if the fourth Friday in December comes on Sunday." Conway being a man of considerable humor, with a grave and solemn look turned to the almanac, and running down to this period in December, looked up at the Judge on his bench and said: "I find, your Honor, to my utter astonishment, that that day comes upon Friday!" "So it does, so it does," said Reynolds.

Reynolds delivered a very short sentence. Turning to Green he said: "Mr. Green, the sentence of the court is, that on the fourth Friday in December, between the hours of ten o'clock in the forenoon and four o'clock in the afternoon, the sheriff of Madison county will take you from the jail to the place of execution, and there, Mr. Green, I am sorry to say, he will hang you till you are dead, dead, dead, and may the Lord have mercy upon your soul. And don't forget, Mr. Green, that this is not my work, but that of the jury which tried you."

By order of the court Green was remanded to jail and finally executed.

I am not anxions to say anything more of Governor Reynolds, because his history will be found written by

many abler pens than mine; and he is one of those well and widely known characters that history is sure to carry down to posterity.

JOHN YORK SAWYER.

THERE is a man to whose name I have not heretofore even alluded. It is John York Sawyer who was living at the time I came to Illinois, I believe, and editing a Democratic paper at Vandalia. Of the fact of his being alive at that time I am not positively sure; but if he was not alive, his demise had occurred but a short time before my advent. For a fat man Sawyer was one of the most ill-tempered and bitter men in Illinois, or perhaps anywhere. I have been told (for I never saw him), that he weighed over four hundred pounds avoirdupois. He had been Judge of the circuit court a considerable time before I came to the State, and Greene county was in the circuit where he presided. At that time the law provided for whipping men for petit larceny. Sawyer was a terror to all such offenders, and was fond of snapping up the lawyers who defended them. A fellow was tried before him at one of his terms in Green county, for petit larceny, and convicted. He was defended by Cavarly, a lawyer still living at Ottawa, Illinois, and now a very old man. Cavarly moved an arrest of judgment and for a new trial, and begged his Honor to allow him time to go over to his office and get some authori-

ties which he wished to read in support of his motion. "Oh, certainly, certainly," said Sawyer to him, assuming one of the blandest looks possible, "the court will wait with the greatest pleasure on you, Mr. Cavarly." Cavarly made one of his profoundest bows and retired. Scarcely had he left the court house when Sawyer said to the sheriff: "Mr. Sheriff, take the prisoner out to yon white oak tree" (pointing to one through a window which was back of him, and about fifty yards off), "strip him to the skin and give him thirty-nine lashes on his bare back, well laid on."

The sheriff executed the sentence of the court with great speed.

Sawyer turned around and looked out of the window while it was being executed, and in a loud voice, while the blood was streaming down the culprit's back, counted the number of strokes on his fingers—one, two, three, etc., until he had counted out the full number of thirty-nine.

The sheriff washed the back of the prisoner, reclothed him, and brought him into court. He was scarcely seated when Cavarly made his appearance, with his arm full of law books, and with great confidence and pomposity said to the court: "May it please your Honor, I am now prepared to show beyond a doubt that my client has been wrongfully convicted, and is entitled to a new trial."

"Very well, Mr. Cavarly, go on; the court will hear you with great pleasure."

And he, Sawyer, had the malice to let Cavarly proceed, and read authorities for some time; but at last interposed, and said: "Mr. Cavarly, you have satisfied

the court, and if you desire it I shall grant you a new trial." But at this point his client whispered in his ear, "Don't take it, Mr. Cavarly, or they will whip me again." The court went on to finish his remarks: "But I will inform you that your client has been whipped, and received thirty-nine lashes on his bare back, well laid on, for I saw and counted them."

Cavarly exclaimed, with great indignation, "This is an outrage, and I protest against such conduct upon the part of a court." "Oh, Mr. Cavarly," said Sawyer, "you have a right to protest. Clerk, enter Mr. Cavarly's protest on the record;" and turning to Mr. Cavarly, said: "Now, Mr. Cavarly, bring on your corn merchant (meaning a client of Cavarly's who was charged with stealing corn), and we will dispose of him as we have with your hog merchant" (meaning the man who had been whipped).

I never saw Sawyer. He died before I came to the State, I believe.

STEPHEN T. LOGAN.

I SHALL introduce to the attention of my readers the name of Stephen T. Logan, one of the most distinguished lawyers of the State of Illinois. He was born in the State of Kentucky; was bred to the law, and became eminent in his native State before he left it. He was living at Springfield, Ills., when I came to the State. I knew him well, both while he lived in Kentucky and since; we served together in the State legislature between 1846 and 1850, in one of its sessions. I think he is the finest lawyer I ever saw. Logan is a very small man, and he is now over eighty years of age, and has, I understand, given up the practice of law. He and Lincoln were at one time partners, and I heard Lincoln say that it was his highest ambition to become as good a lawyer as Logan. I also heard Col. Baker use the same expression. Logan is extremely wealthy, owning a large number of fine business houses in Springfield, and some dozen or so fine farms in Sangamon county, and has a large amount of money out at interest, secured by mortgages on real estate. When Logan and I were members of the legislature of the House of Representatives, we were brought in frequent collision with each other. He was a man possessing

strong powers of debate, and would give any man with whom he came in contact as much as he could do. Logan and I had a running debate of four or five days on the subject of districting the State from which to elect delegates to the Convention to be held in 1848, to form a new Constitution. Logan favored the measure; I opposed it, believing that the Constitution had provided the districts from which the delegates should come when a new Constitution was to be formed; and that to make new and other districts was unconstitutional, and I still believe that I was right; but the measure carried, being supported by the northern members in a body.

I will relate a little anecdote here which occurred during the time of this debate. I had some local measure that I wanted to get through the legislature as speedily as possible; so one morning on the meeting of the House, I moved the suspension of the rules to enable me to do so. Hall Simms, a member from Edgar county, a very crabbed and sour man, rose in his place and opposed it, saying that I had had more favors from that House and had consumed more time in debate than any other member of the House, and he for one should oppose the suspension of the rules. I replied that I had received a good many favors from the House—perhaps more than I was entitled to—and that I was aware that my popularity in the House was somewhat on the wane, but I took it as exceedingly unkind in the member from Edgar county to attack me at such a time, and that I would relate a fable from Æsop, which would explain my situation: "A lion got after a bull, and, being hard pressed, the bull made for a cave that he

knew of, and when he got there he found another enemy in the mouth of that cave in the form of a formidable he-goat, with a long beard and terrible head of horns, shaking them as much as to say, 'You shall not enter here.' But the bull, not being greatly dismayed, pressed on and slipped in at one side of the goat, and as he passed him, whispered in his ear: 'If I were not so hard pressed by the *lion*, I would show you the difference between a bull and a goat.' Now, Mr. Speaker," said I, "Mr. Logan is the lion and I am the bull, and he has been chasing me for the last four or five days, and who is the *goat* I leave the gentleman from Edgar to guess." There was a tremendous laugh all over the House at poor Simms' expense, and my motion for a suspension of the rules was carried almost unanimously.

Logan did not come back to the legislature at its next session; but I was there and frequently saw him in the lobby and in the Supreme court room, where he had a large and lucrative practice.

Judge Logan's feelings towards me I know to have been of a very warm and kindly character. I know too, if it will not be immodest to mention it, that he entertained a very high opinion of me as a public speaker. I remember on one occasion when it was known that I was going to speak on some interesting question before the legislature, Logan, and his little daughter, about thirteen years of age, came into the gallery, and he beckoned me to them. I went, and after introducing his little girl to me, he said, "My little daughter having heard a great deal of you from myself and others, has a strong desire to hear you speak, and know-

ing that you are to speak to-day, I have brought her here to hear you, and hope we will not be disappointed." I relate this circumstance only to show the kindly feeling existing between Logan and myself.

Logan was eccentric in a good many things, especially in his dress, being generally very loosely and unfashionably clad. A very amusing occurrence took place between Logan and Mr. Lincoln. They were engaged in a case in the circuit court of Sangamon, on opposite sides. Logan undertook to play off his wit upon Lincoln, and said to the jury, "In the common affairs of ordinary life Lincoln has no knowledge." Lincoln in reply said, "Gentlemen of the jury, I make no large pretensions of knowledge of any kind, but there is one thing that I do know which Judge Logan does not—I know which is the front and which is the back part of my shirt; now if you will examine Judge Logan, you will find that he has put on his shirt with the wrong side in front," and stepping up to Logan, deliberately opened his bosom and revealed the fact that what he had said was true. It was one of those shirts which is open behind and not in front, and Logan had reversed the order of things, and put on his shirt in such a way that that part which should have covered his bosom was on his back, with the slit before. Lincoln said: "Now, gentlemen of the jury, behold this man of wonderful knowledge in the common-place affairs of ordinary life, who twits me with want of such knowledge, and does not know the back from the bosom of his shirt."

The laugh was turned terribly upon Logan; but

Lincoln was a great friend to the last day of his life, to Stephen T. Logan.

This notice of Stephen T. Logan is more meagre than I could wish it, for certainly in intellect he was equal to any whom I have noticed. I therefore leave him with the reader, and pass on to another man of early times.

ZADOCK CASEY.

ZADOCK CASEY was not a lawyer, but a Methodist preacher. He was a native of the State of Tennessee, and with his little family, which consisted of his wife and one little child, removed to this State sometime about 1822 or '23. For a good while he followed his sacred vocation. It is needless to say that he was eminent therein, for there are quite a number now living who knew him who can bear testimony to the fact. He was a man of fine physical form, about six feet high, as straight as an arrow, and of as imposing appearance and address as I ever saw. He was soon forced by favorable public opinion to go into political life; he filled many public stations; was at one time Lieutenant-Governor, before I came to the State, and by virtue of that office presided as speaker over the deliberations of the Senate; and I have been told by those who were eye-witnesses, that he was one of the most accomplished presiding officers over a deliberative body that they ever saw—prompt and quick in his decisions and generally right.

After this time he was elected to Congress from his district in the southern part of the State, which included Jefferson county, where he first settled, and continued to represent it in Congress without any

break or intermission for ten or twelve years. He was a member of Congress when I came to the State in 1835, and continued so for some considerable time. He was often called upon by the speaker of the House of Representatives in Congress to take the chair and preside over its deliberations, from the fact that it was well known that he knew more parliamentary law and practice than any member of that body. He was prompt, quick, correct and dignified in the performance of the functions of that station. He was a Democrat in politics, but disliked Martin Van Buren, and voted against the independent treasury bill, and did not vote for Van Buren, but gave a hearty support to James K. Polk for President, and lived and died a Democrat.

My personal acquaintance with Governor Casey commenced somewhere about 1846 or '48, when we were both members of the House of Representatives of this State—he from Jefferson and I from Coles county. At one of the sessions between '46 and '50; he was elected speaker of that body, and I then had an ample opportunity of having verified what had been said of him as a presiding officer.

Although he did not regularly pursue his vocation as preacher, he not unfrequently preached when called upon by his Methodist brethren and friends—sometimes at their camp-meetings, and sometimes in their churches. His great *forte* was, however, as presiding officer. When he left the chair and spoke from the floor of the House, although always dignified and sensible, yet he fell far below his performances when presiding as Speaker.

We became very intimate, and I was very fond of his society. He was not in the least hide-bound or bigoted, but could enjoy a joke and tell as good a story as any layman of my acquaintance. He was the father of glorious old Sam Casey, who once had charge of the penitentiary at Joliet, in connection with my friend, Samuel Buckmaster, and who resembled his father very much in personal appearance, and in all his high social qualities. He has another son, Dr. Newton Casey, who is now living at Mound City, Pulaski Co., and quite eminent in his profession; and another living at Mt. Vernon, Jefferson Co., a lawyer, Thomas Casey, who has recently and for a good many years, been a member of the legislature of Illinois. He is said to be a man of considerable talent; his son, Dr. John Casey, lives at Joliet.

Gov. Casey has been dead some six or eight years. His son Samuel died some three or four years ago.

I have inserted Gov. Casey's name in these memoirs because he made his mark here in early times and filled high stations, both State and National, and filled as large a place in public estimation for a period of over forty years as any man who ever lived or died in Illinois.

LYMAN TRUMBULL.

HAVING disposed of my old friend Zadock Casey, I will introduce to the notice of the public a man whose name is familiar to every school-boy in this nation; and of course known to every one who is familiar with the history of our country, and I presume even beyond the limits of our Republic—I mean Lyman Trumbull, late Senator in Congress from the State of Illinois. My acquaintance with him commenced (as well as I now recollect) about 1838–39 or 1840.

I have already incidentally alluded to him before, where we were opposed to each other in the trial in which Vandeevers, the hotel keeper at Kaskaskia, was the plaintiff—in which he was for the plaintiff, and I was for the defendant. He was a very able circuit court lawyer, and indeed a profound and learned lawyer in any court, State or National. I think it was on the Mississippi Circuit in 1841, at the Circuit Court in St. Clair county, that Trumbull, Koerner and myself defended an Irishman indicted for the murder of his wife. According to the evidence this murder should have occurred between St. Louis and Belleville, fourteen miles distant from St. Louis. I relate this incident for the purpose of enlivening these pages

with a very amusing occurrence that took place during the trial of the case. At the post mortem examination of the woman a great many physicians were present, the most eminent of whom was Dr. Smith; also several others, and amongst them one Dr. Goforth, who was familiarly known as old Pills. We had the precaution to have these doctors separated, that they should not hear each other's testimony. Dr. Smith was first examined, whose testimony was rather damaging to our client; but we got him to state so many particulars in reference to the appearances that we felt assured in our own minds that the doctors who would be subsequently called would never agree with Dr. Smith, for he had sworn that the cause of her death was choking or strangulation, and not from any blows or external violence upon her body or chest. The next doctor called was old Pills, who swore that he was present at the post mortem examination, and we asked him, "Did you and Dr. Smith agree as to the cause of her death?"

He said they did. I asked him what was the cause they agreed upon. He answered: "We perfectly agreed that it was caused by blows and external violence upon her chest."

"Doctor," said I, "might it not have been caused by choking or strangulation?"

"No, sir," said he, "we all agreed it was caused by external violence, as I have already stated."

I asked him if he had seen any marks or bruises upon her chest. He said he had not. I said: "Well, how do you undertake to say, if there were no external marks or bruises upon her chest, that death resulted from the cause you have stated?"

"Oh," said he, "that often occurs where violence is used, and no outward sign appearing thereof; congestion of the lungs takes place, as in this instance."

There we dropped him. Trumbull and Koerner led off in the argument on the part of the defense, and it is due to them to say that they really made the main argument in the case. They left the closing speech to me, and I ventured upon a very dangerous experiment, which I never did before, and never have done since, and that was telling a story in a murder case, which excited a universal laugh. I alluded to the testimony of Dr. Smith, who had testified she died from choking or strangulation; then I came to the testimony of Old Pills (whose evidence was in direct contradiction of Dr. Smith, as the reader will remember). I said:

"Gentlemen of the jury, there is an old adage or motto 'that when doctors disagree, who is to decide?' Dr. Goforth (Old Pills), has sworn that death could be produced by external violence upon the chest when no external marks or bruises would appear thereon. This reminds me, gentlemen of the jury, of a story I heard many years ago of old General Scott (not Winfield), who went from Virginia to Kentucky in very early times, and on his return his friends and neighbors came to see him, and asked him to give them a description of the country. He said he never had seen such forests in his life—oak, chestnut and sugar trees reaching up two and three hundred feet in altitude, and being from fifteen to twenty feet in diameter, and growing so close together that nowhere were these trees more than five or six feet apart from each other. 'Now, General,' said they, 'tell us something about the game in that

country.' 'Well,' said he, 'I saw deer and elk there whose enormous antlers would measure at least fifteen feet from the tip of one horn to the tip of the other.' 'Did they frequent these forests, General?' said one of his auditors. 'Oh, yes,' said the General. 'Then how did they manage to get through these enormous trees, growing so close together?' 'Oh, by h—l, sir,' said the General, 'that is their lookout and not mine.'"

The jury saw the application to Old Pills' testimony, and all I have got to say in reference to that trial is that the story did not prevent the jury from returning a verdict of acquittal in a few minutes after their retirement.

After the jury had returned their verdict, I left the court house, and went across the street to my hotel and sat down to dinner; and while I was partaking of roast turkey and other good things, I suddenly felt a man's hand in the hair of my head and he lifted me on to my feet, and turned me around towards him. It was Old Pills. He let go of my hair and suddenly produced a small pair of pistols, one in each hand and said: "Linder, will you live or die? You have this day ruined my reputation as a physician."

I speedily replied: "I prefer to live."

He invited me to take one of the pistols and defend myself, but by this time Johnson, my landlord, and several others of my friends, came to my relief, and disarmed Old Pills. He left, and never attempted to molest me thereafter.

Trumbull at this time I think resided in Belleville. Judge Breese was our presiding Judge. After this time Trumbull was elected to the legislature of Illi-

nois, and though a young man, he soon became the leader of the Democratic party in the House of Representatives. During Ford's administration as Governor of the State of Illinois, Trumbull was appointed Secretary of State, the duties of which office he discharged with great ability. He went on to the Supreme bench, and those who have read his opinions know that he had but few equals as a jurist. He was elected to the House of Representatives in Congress from the Belleville district, and that same winter the Republican party failing to unite on Lincoln, elected him to the Senate of the United States. This was in 1855. This produced some heart-burnings amongst some of Lincoln's friends, and one of them publicly charged Trumbull with intriguing for and cheating Lincoln out of his place. This charge I have no doubt was false, of which Lincoln acquitted him in 1858, when running against Douglas for the Senate of the United States. Trumbull continued our Senator until after the close of Johnson's administration as President, and if anything he has done as a public man will reflect more honor upon him than any other of his acts as a statesman and a patriot, and hand his name down to the latest posterity, it will be the course he pursued as Senator on the impeachment of Andrew Johnson. Trumbull being a Republican and having opposed the administration of Johnson, it was expected by his party friends that he would, on pure party grounds, vote for his conviction. But Trumbull was too pure a statesman and patriot to allow himself to be used by his party for such a base and dishonorable purpose. He went for his acquittal, and the

opinion that he delivered on that occasion was one of the best of all those delivered by any of the Senators. That opinion will remain an enduring monument of his greatness to the end of time, and will constitute the brightest page in our country's history.

Towards the end of Mr. Trumbull's senatorial career, he became dissatisfied with the course of the Republican party, and when a considerable number of the disaffected Republicans united with the Democratic party in forming what was called the "Liberal Republican Party," Mr. Trumbull was one of the movers and leaders of that coalition. His name was very favorably spoken of as a candidate of that party for the Presidency. But Mr. Greeley got the nomination, and Mr. Trumbull supported him with hearty good will. Since the expiration of his term in the Senate he has retired from public life, and returned to the practice of his profession, in which he is doing a very lucrative business in the courts of Chicago, both State and Federal, and in the Supreme Courts of Illinois and of the United States, standing at the very head of the bar. But I have no doubt, if he will consent, that the Democratic party, which is just coming into power, will recall him into political life. What place they will tender him I cannot say, but I doubt not that it will be one of the highest.

Judge Trumbull is now about sixty-two or three years of age, but does not look to be more than fifty. He has always been a very temperate man, and having had a good constitution, is therefore very well preserved. Judge Trumbull's name I see is amongst the list of those who lately formed the Jeffersonian

Club in Chicago, which is but another name for Democratic Club. It must be very gratifying to him that after the abuse heaped upon him by the hot partisans of the Republican party for the course he pursued on the impeachment of President Johnson, nearly the whole nation now indorse and approve his course on that trial.

He would make a splendid President, and if my vote would elevate him to that office, he would not be long out of the White House. Judge Trumbull and myself for more than thirty years have been warm personal friends, and I have received many kind favors at his hand. He bids fair to yet live some fifteen or twenty years. That his life may be a long and happy one is the warm wish of his old friend, the author of this imperfect sketch.

RICHARD J. OGLESBY.

THE next person I shall introduce in these memoirs will be Richard J. Oglesby. He is a native, I believe, of Kentucky, but of that I cannot speak positively. I became acquainted with him somewhere about the year 1841, when he was a very young man, and had been but a short time at the bar. At that time he lived in Sullivan, Moultrie county, Ills. From the beginning of his professional career he gave evidences of great promise and of future eminence and distinction. He was one of the most social young men I ever knew, and paid deference to the talented and senior members of the bar, not obsequious, but respectful and almost filial. I loved him almost as a man would love a son, which was fully returned. Some of the happiest days of my life I spent in his society, and he has often made me laugh to the very splitting of my sides.

I will relate a little incident here which occurred at the Shelbyville Circuit Court, where "Dick" and I were attending as lawyers, to which I know he will not take any exceptions. But that the reader may perfectly enjoy what I am about to relate, I will go a little behind it and say that he had previously told me that he had courted a beautiful girl in Macon county,

Ills., to whom he had been engaged and was very much attached, but through the influence of her relatives she had been forced to throw him overboard, and had become engaged to a wealthy farmer, a brother to her brother-in-law. This he told some days before the incident I am about to relate happened. When one day during court week at Shelbyville, he came to my hotel, at Tacket's, with a woe-begone countenance, and invited me to take a walk with him, which I cheerfully did. Said I, "What is it, friend Dick?" after we had started. Said he, "My lady-love with her husband is at the next hotel; they were married yesterday, and are making their bridal tour. I want you to go with me and look at her, and see if she is not as beautiful and lovely as I have described her to you."

Dick and I went to the hotel and took our position at a door outside of the hotel, where we had a full view of her in the sitting-room and she had a full view of us. She was as beautiful as "Hebe"—a perfect vision of loveliness. I saw in a moment that she took cognizance of Dick's presence, having turned her face, full of love and tenderness, towards him, which look she did not withdraw. Dick said to me, in a tone I think loud enough for her to hear:

"Look at her; isn't she an angel? She loves me better than she does her husband, and by heaven! this moment her heart is breaking for me!" Said he, "Linder, do you see that ring on her finger? I gave her that ring and placed it on her dear finger. It was our engagement ring. By Heaven! isn't it too hard to have such a treasure as she is thus rudely snatched from my arms?"

I could stand it no longer. I pulled him away from where we were standing, and after we had got far enough where I could do it with impunity, I gave vent to an uproarious fit of laughter, in which Dick after a time heartily joined. It certainly was one of the most laughable scenes I ever witnessed. I don't think however that it broke Dick's heart, for I noticed that he could eat as hearty a dinner after this incident as before.

My acquaintance with Dick continued until he went into the Mexican war. He belonged to Col. E. D. Baker's regiment, and was I think a lieutenant in one of his companies. He was at the battle of Cerro Gordo, and fought all the way up to the city of Mexico. He gave me a very graphic description of the battle of Cerro Gordo. The Mexicans occupied the heights of Cerro Gordo, while our army occupied the foot of the heights below, and had almost literally to climb to get to the enemy. The Mexicans had strongly fortified their position, and it looked almost like an impossibility to scale the heights and drive them from their fortifications. Dick told me that our army was drawn up at the very foot of Cerro Gordo heights, and had orders not to make any attack or forward movement on the enemy until the General-in-Chief, General Scott, should make his appearance on the field. General Scott had arranged his plan and mode of attack with consummate skill and ability, and each General and Colonel had received written orders from him of their precise position, and the route by which they should ascend the acclivity. He said as soon as they had taken up their position, the enemy opened with

their artillery upon them, but having to shoot so straight down, their shot mostly went over their heads. But being within range of their smaller arms, their fire here and there took effect and caused some gallant fellows to bite the dust. It was here that General Shields received the wound which I have heretofore related in the sketch I have given of him, which very nearly cost him his life.

Dick said: "We waited with the greatest impatience for the appearance of General Scott, and after the lapse of about thirty minutes we heard shouts and cheers coming up from the left wing of our army that made the very welkin ring. We looked down our line and saw General Scott, dressed in splendid uniform, mounted on a white charger, approaching our center from the rear. It was the most imposing sight I ever saw; he looked more to me like a god than a man, and the difficulties of our situation vanished from our thoughts. His appearance inspired universal confidence, and I don't believe there was a soldier in that army but who felt assured of victory.

"After giving him another hearty cheer from our wing of the army, our bugles sounded the charge, and with fixed bayonets we ascended the heights by the different routes which had been before designated in the written orders of General Scott, and in less than twenty minutes we were in possession of the enemy's fortifications, and he was on his flight to the city of Mexico."

Said he, "Linder, had *we* been defending those works instead of the Mexicans, an army of five times our number could not have taken them; but I do believe that the shout of our American boys was

almost enough of itself to put a mongrel and degenerate race of men to flight."

He went with Scott up to the city of Mexico, and was in every battle that took place between Cerro Gordo and the ancient capital of the Aztecs, and did not leave the army until he saw the stars and stripes waving over the halls of the Montezumas.

Dick then returned to the United States, covered with glory; and when it was ascertained that gold had been discovered in large and paying quantities in California, which we had acquired by our arms and treaty with Mexico, Dick rigged up an outfit and crossed the plains to this new El Dorado. After working in the placers till he realized between eight and ten thousand dollars in gold, he returned again to the States, and after putting his financial affairs into a favorable posture by forming a mercantile partnership with his brother-in-law, Mr. Prather, being still unmarried, he determined to pay a visit to the Holy Land, and he did so; and at our last meeting, at the unveiling of Lincoln's statue, he gave me a description of his trip, which being too long to insert at full-length here, let it suffice to say that he crossed the ocean and landed at Grand Cairo, and took the route as near as he could guess along which Moses had led the armies of Israel. He gave me a description of Mount Sinai, on the top of which he had stood; also of Petrea, that city literally hewn out of solid rock; also of Jerusalem, the Dead Sea, the Jordan, the Sea of Galilee, and many other places in the Holy Land where our blessed Lord and his disciples had sojourned and delivered to the people the glad tidings of peace on earth and good

will towards man. He told me that he was in Bethlehem, Cana of Galilee, and the tomb, as it was supposed, where Joseph of Aramathea laid the body of our Savior.

I don't know how long he sojourned in the Holy Land, but he returned to the United States safe and sound, and when the civil war broke out in 1861, he raised a regiment, and before the war had been long pending he rose by his gallantry to the position of Brigadier General. He was in several skirmishes and battles, and particularly the battle of Fort Donaldson, where he was severely wounded; so much so that he was forced to throw up his commission, leave the army and return to his family at Decatur, Illinois.

Since that time his course has been onward and upward, having been twice elected Governor of Illinois, but did not serve his second term, having been elected by the Legislature of Illinois to the Senate of the United States, which position he now fills, and in which I trust and believe he will so act as to continue therein for many long years, or be elevated to a still higher place.

I had the pleasure of meeting Oglesby, as I have already hinted, at the unveiling of Lincoln's statue near Springfield, where a splendid monument has been erected to the honor and memory of our martyr-President, Oglesby being appointed to deliver the oration commemorative of Lincoln's life and public services, which was done in a masterly manner. In this oration he ran the parallel between Lincoln and Douglas, doing equal honor to both, and not in the slightest degree detracting from the merits and glory

of Douglas. On that occasion there were present many invited guests; and among them were President Grant, Gen. Sherman, Gen. John Pope, ex-Vice President Colfax, our late Vice President Henry Wilson, Hon. David Davis, Hon. Joe Gillespie, Gen. Custar, Hon. John A. Logan, and others, amongst whom was your humble servant. This is the last time but one that I saw Richard J. Oglesby to speak to him, when and where we had a long and agreeable conversation about past times. I met him at the Governor's mansion, where he gave a reception, and all persons who desired it were permitted to come and shake him by the hand.

I must now take my leave of my old friend Oglesby. I am getting old and do not expect to live long enough to dispose of the materials which he shall hereafter furnish for some future biographer. Doubtless some abler pen than mine will take charge of his future fame, and give him his proper place in history.

WILLIAM H. BISSELL.

THE next name that I shall introduce into these memoirs is that of Gov. William H. Bissell. He was an intimate acquaintance and a warm personal friend of mine, but the precise time when our acquaintance commenced I cannot now call to mind, but it was prior to the Mexican war and since I come to think of it, it was in 1841. He had been a practicing physician, but becoming disgusted with his profession, studied law, and was admitted to the bar about that time, and I met him at Greenville, in Bond county, at the spring term of the Bond Circuit Court.

He was a man of great elocutionary powers, and there was a vein of scathing and burning satire which occasionally ran through his speeches. I remember at that term of the court a case in which a quack physician had brought suit for his professional services, wherein Bissell was for the defendant. Bissell having been a good physician himself, managed to get in testimony showing the plaintiff's want of qualifications, and that he had mismanaged the case. In his speech to the jury, after he had reviewed the testimony, showing up the fellow's ignorance, he told them that if ever the United States should get into a war with England, it would be very foolish in Uncle Sam to waste the blood and

treasure of the nation in the prosecution of such a war; for all it would be necessary for him to do would be for him to hire this plaintiff to go over into Canada and there practice his profession, and he would slaughter the Queen's subjects with his nostrums worse than Samson slaughtered the Philistines with the jaw-bone of an ass. Suffice it to say the jury returned a verdict in favor of Bissell's client.

Bissell was one of our Colonels in the Mexican war; had one of the best disciplined regiments in the service, and was with General Taylor in all his battles from Palo Alto to Buena Vista. I was told by a friend who was in that battle, that they fought more like regulars than volunteers; that they would deliver their fire and charge the Mexicans with fixed bayonets, and then retire in slow and regular step and in good order, with their face to the enemy, re-loading their guns as they slowly retired, and when accomplished, they returned and again delivered their fire and charge and again retire as before, and this they kept up, maintaining perfect order, for three or four hours during one of the three days of that bloody battle where we had about four thousand men, all volunteers with the exception of about four hundred regulars, and Santa Anna had twenty thousand regulars, mostly lancers, being the very flower of the Mexican army.

It was in this battle where Col. Henry Clay, Jr., the favorite son of the glorious old "Harry of the West," Col. Key of Kentucky, and our own Col. John J. Hardin, of Illinois, fell.

I must relate a little incident here that occurred between old Zac Taylor and one of his aids. After

our troops had fought for two long days, and the tide of battle seemed going against us, his aid rode up to him and said, "Gen. Taylor, our boys are certainly whipped." "Yes," said Taylor, "I know it, but the d——d fools don't know they are whipped, and they will fight on until the Mexicans will be compelled to retire ingloriously from the contest," which prediction was fully accomplished on the last day of the battle.

In this battle Col. Jeff Davis, late President of the Southern Confederacy, commanded a Mississippi regiment that did good execution, and behaved with great bravery; but Davis, not being willing to share with the rest of the army, tried to run off with all the glory; and after the war was over, and he and Bissell were both members of Congress, the first in the Senate and the latter in the House of Representatives, Davis made a speech in the Senate in which he attempted to claim for his regiment the glory which truly belonged to the Illinois troops, and especially to Bissell's regiment. Bissell called the attention of his House to the speech of Davis, and administered to him a most withering rebuke, and charged him with deliberate slander. Thereupon Davis sent him a challenge, which Bissell promptly accepted; and Bissell having the choice of weapons and the distance, selected muskets loaded with buckshot, with which to fight at the distance of twenty paces. Their friends, seeing that this would probably result in the death of both parties, interfered, and the matter was amicably settled, which was not displeasing to Davis and his friends.

After this affair, Bissell's popularity, which was great before, became still greater, and he was elected Gov-

ernor of Illinois. He was originally a Democrat, but finally, I think, became a Free Soiler. He died before the expiration of his term of office. Shortly before his death he attached himself to the Catholic Church, and died in the triumphs of that faith.

I know of nothing more of interest in reference to Gov. William H. Bissell. I leave him therefore to history, which doubtless will deal kindly with him. He had some faults, but they were to himself, over which we should kindly draw the veil of charity. He has left to posterity the stainless name of a soldier, statesman and a patriot, and he will never be forgotten as long as the battle of Buena Vista and the victories of General Taylor are remembered.

DAVID DAVIS.

THE object of writing these memoirs is not simply for the purpose of making a book to filch from the public their money, but to preserve the memory and deeds of worthy men, and hand them down to posterity, that the coming generations may profit by their example. I have already given to the public some of the most brilliant geniuses of the State of Illinois. I will here introduce the name of a man with whom I became acquainted at a very early period, to whose reputation I cannot add by anything I may write in these memoirs. He is still living, and one of the first men in America, and is one of the judges of the Supreme Court of the United States. I mean his Honor, David Davis, of Bloomington, McLean county, Illinois. He is a native of Maryland, and descended from one of the first families of that State, and is a cousin to the late Winter Davis, of Maryland. After graduating in one of the first colleges of New England, and having studied law with a distinguished barrister whose name I have been told was Bishop, he came to this State when quite a young man, and settled in the town of Bloomington, McLean county, Ills., and opened a law office there, where, by his sagacity, economy and industry, he soon won his way to a respectable independence.

He was elected Circuit Judge some time between 1846 and '50 in the judicial circuit embracing McLean county, and also Sangamon, including Champaign, Vermillion and Shelby; for which promotion he was largely indebted to his old and tried friend, Abraham Lincoln; and to the eternal credit of Judge Davis be it said, he never forgot it; and when a member of the convention of 1860 that nominated the Republican candidate for President, his Honor, David Davis, had as large if not a larger share in bringing about the nomination of Mr. Lincoln, than any other member of that convention. And when Mr. Lincoln was elected, Davis was invited to accompany him as one of his suite to Washington. Mr. Davis is a very large man —about six feet high, very corpulent, and weighing some three hundred and fifty pounds. He accepted Mr. Lincoln's invitation, and being somewhat conspicuous for his size and for wearing a white silk hat, the aspirants for office perceived by the attentions paid him by Mr. Lincoln that he had no small influence with the President-elect, and they paid about as much court to the man with the white hat as to Mr. Lincoln himself.

But I wish to go back to the time when he was Circuit Judge of the State of Illinois, and Mr. Lincoln and myself both practiced in his circuit—Mr. Lincoln in the whole of it, and I in the counties of Vermillion, Edgar and Shelby, and occasionally in Champaign. Judge Davis was a very impartial judge, and though not intending to show a preference for one of his lawyers over another, such was the marked difference he showed to Mr. Lincoln that Lincoln threw the rest of

us into the shade. But as Mr. Lincoln could not take both sides of a case, Anthony Thornton, myself and other prominent lawyers, were employed on the opposite side of cases in which Mr. Lincoln was engaged on one side or the other. Judge Davis always treated me with great kindness and consideration, and I wish to state here before going further, lest the reader should think that my practice was confined to cases in which I was opposed to Mr. Lincoln, that in weighty and hotly contested cases we were often associated together, so that I cannot say that I was at all damaged by the friendship shown for him by his Honor, Judge Davis. I think it quite likely that had I been placed in the same relation to Mr. Lincoln that Judge Davis was, I should have shown to him the same consideration as was shown by his Honor, Judge Davis.

Lincoln and myself generally put up at the same hotel, and frequently slept in the same room, and not unfrequently Lincoln and I occupied the same bed. Judge Davis was too large to take either of us for a bed-fellow.

Among the most pleasant days of my life, I recall those when we three traveled together from Danville to Paris, and from there to Shelbyville. The courts of those three places lasting on an average from two to three weeks each. Ah! What glorious fun we had sometimes!

I will give a little incident here to show the eccentricity of Judge Davis, which occurred at the Paris Circuit Court. Judge Harlan, who was then judge on the circuit south of him, came up to Paris on some special business of his, and Judge Davis, observing him in

the court house, invited him to come up and take a seat on the bench beside him, which Judge Harlan did; and while there a little appeal case came up, in which there was only about three dollars in controversy, in which I was engaged. I read a decision of the Supreme Court which I thought and which was decisive of the case. Judge Davis turned to Harlan and whispered in his ear, as I afterwards learned from Judge Harlan, "Great God!" said he, "for a lawyer of Linder's age and standing to read a decision of the Supreme Court in a little appeal case where there are only three dollars in dispute!" He nevertheless gave a decision in favor of my client.

Another little circumstance I will relate, going further to show his eccentricity and his friendship for me. Sometime in the year, I think of 1850, I went up to Springfield, either on a visit or on some business or other, when Judge Davis was holding his court there; and I had landed but about an hour when the prosecuting attorney hearing that I was in town, came and employed me to assist him in the prosecution of a woman and her paramour for the murder of her husband by the administration of poison. As I entered the court room, Judge Davis being on the bench and perceiving me enter the room with my pipe in my mouth, said in an audible voice: "Mr. Sheriff, you will permit no one to smoke in this room while court is in session except General Linder."

It created quite a laugh all over the house, and you may rest assured I was not so modest or self-denying as to refuse to take advantage of the permission thus given me to smoke my pipe during the progress of the trial.

On this trial the ablest lawyers of Springfield were engaged in the defense. Amongst those in the defense known to me at the time I was engaged in the prosecution, were Abraham Lincoln, his Honor Judge Stephen T. Logan, of whom I have given a sketch in these memoirs, John T. Stewart, Benjamin Edwards, and some younger lawyers who were not known to me. The woman on trial sat in the midst of her eminent counsel, and close by her a young and handsome man, whom I took to be her paramour and associate in crime. During the progress of the trial, he showed no contrition, but put on, as I thought, a bold and impudent look, and frisked about and got law books and pointed out pages to Lincoln and the rest of the lawyers in defense.

Thinks I to myself, "My young chap, when I come to conclude this case, I will not fail to pay my special respects to you." So when the evidence was through, and the prosecuting attorney had opened the case, and Lincoln and his three associates had made their speeches in the defense, it came to my time to conclude the case. I had no intention to deal with the case but in a serious and solemn manner, and after summing up the evidence and showing how strongly it pointed to the guilt of the woman and her paramour, turned, and pointing my finger to the man I supposed to be her associate in crime, I said: "Gentlemen of the jury, if you wanted any additional evidence of this man's guilt, it would only be necessary for you to recur to his boldness and impudence on this trial;" and pointing to his face said, "you can see guilt written all over his countenance," when he calmly rose from

his seat and said, in not an angry tone: "General Linder, you are mistaken; I am not the criminal, but my name is Rosette; I am a lawyer, and one of the counsel for the defendants."

Worthy reader, you cannot imagine my revulsion of feeling. This unfortunate mistake thoroughly broke me down, and I limped lamely through the remainder of my argument. This miserable mistake of mine soon made its appearance in all the leading papers in the Union.

I have already stated that Davis, by invitation of Mr. Lincoln, went with him to Washington, and was present at his inauguration, and I was informed remained there for some considerable time. And although he held no cabinet office under Mr. Lincoln, yet it was pretty well known that Mr. Lincoln had great confidence in Judge Davis, and consulted him on public affairs frequently during those dark and perilous days just before and after the war commenced. I am inclined to think that Mr. Lincoln tendered him a place in his cabinet, but Judge Davis waited for a safer and more permanent place. His ambition was to reach the Supreme Bench of the United States, and after a while, a vacancy occurring, Judge Davis was appointed to fill the place, over the heads of such men as Salmon P. Chase and other formidable aspirants. His nomination was confirmed by the Senate of the United States, and he still holds the office to which Mr. Lincoln appointed him.

He has made a most excellent judge, and he has delivered some opinions on constitutional questions which have given him a national reputation and made

him quite popular with the Democratic party; for instance, the case of Millikin, Bowls et al., of Indiana, who were convicted by a court-martial during the late war. The opinion of the Court, delivered by Judge Davis, so clearly showed the illegality and unconstitutionality of the action and sentence of the court-martial, that everybody of all parties at once acquiesced in the correctness of the opinion of the Court. Judge Davis from that time forth was spoken of by nearly all the Democratic party and a portion of the Republican party as a fit person to be run for the presidency against Grant. But the liberal Republicans gave him the go-by, and nominated Mr. Greeley.

Perhaps after all it is well they did, for it is doubtful whether any one at that time could have beaten Gen. Grant; so it saved Judge Davis' popularity and leaves it unimpaired for future uses. He is still a man in the prime of life, with vigor and health enough to live to be an octogenarian, with unimpaired intellectual powers.

I should have said at a former place in these memoirs, that after the death of Mr. Lincoln, Judge Davis, at the request of the relatives and friends of Mr. Lincoln, administered upon his estate; and he did it so faithfully and efficiently that in no long time after he entered on the duties of administrator, and perhaps as guardian of the children, too, he settled up with the court and distributed to Mrs. Lincoln and the heirs over one hundred thousand dollars in cash.

I have nothing further to say as to Judge Davis. After he shall have ended his career, some abler pen than mine will write up his history, to whom and pos-

terity I now leave him, feeling assured that he has a brilliant future ahead of him. But if he should never get any higher up, a Supreme Judge of the United States worth three millions of dollars, may snap his fingers at the future.

GUSTAVUS KOERNER.

THE next name I shall introduce into these my recollections, is Judge Gustavus Koerner, of Belleville, Ills. My acquaintance with him commenced in 1837, at the spring term of the St. Clair or Belleville Circuit Court. He was introduced to me by Adam Snyder, and by him commended to my kind regards and friendship. I was then Attorney-General of the State of Illinois, and was performing my duties as such on that circuit. I at once took him into a close friendship, and sent him in my place to the grand juries to take notes of the evidence and frame the bills of indictment which they might find, which he did well and faithfully. Mr. Koerner was an educated young German, having graduated at one of the best universities of Germany; was deeply read in the civil law of Continental Europe, and all that seemed most wanting in him at that time was the ability to correctly pronounce the English language; but it takes a long time to so fix and school the mouth and tongue of a German to enable him to speak and pronounce our language correctly. In time however Koerner overcome to a considerable extent his deficiencies in that respect, but never thoroughly

After he had practiced law for several years, his countrymen in St. Clair county, who constituted a majority of that county, sent him to the Legislature; and my recollection now is that he continued to represent them in the lower House thereof for several sessions.

During Ford's administration as Governor of Illinois, there occurred a vacancy on the bench of the Supreme Court of Illinois, when that court consisted of nine judges, who held the Circuit Courts also, and Ford appointed him to fill that vacancy, and he became one of the nine judges of the Supreme Court. His decisions, which are to be found in our published reports, read well and give evidence of his being profoundly read in the civil law, and also in the common law of England.

I do not remember now when he went off the bench, but I do know that he was afterwards nominated and elected by the Democrats to the office of Lieutenant-Governor of the State. He has filled other important offices since then, and I think has been consul to one of the German States.

When he was appointed Judge of the Supreme Court, Ford did it in deference to the German Democrats of St. Clair county, as he told me himself. There were from six to ten thousand of them, and they were nearly all Democrats, and at that time there were more Germans in St. Clair county than in any other locality in the State. In reference to Koerner's deficiencies in the pronunciation of the English language, I will give one word which has stuck to him till this day. He could never correctly pronounce the word

arrive, but always said *awive*, and he don't stand alone in reference to this error amongst educated Germans.

I will wind up my notice of Mr. Koerner by saying that when the Liberal Republican party was formed, he gave his support to that party and was run on the ticket with Horace Greeley, as the liberal candidate for Governor of this State, but as we all know, he was defeated.

Judge Koerner is still living in Belleville; enjoys good health, and is about sixty-two years of age. May long life and happiness attend him to the last.

TIMOTHY R. YOUNG.

I WISH now to introduce to the notice of the reader a lawyer friend of mine who is still living and not a very old man either, but one of the most genial, whole-souled fellows in the world; I mean Timothy R. Young, of Marshall, Clark County, Illinois. The beginning of my acquaintance with him dates back to the year 1840 or '42. We frequently met on the circuit, and no man could tell a better story or crack a richer joke than my friend Timothy. A great many of his stories, if I could remember them, would not detract from the interest of these pages, and there are others, like some of my friend Lincoln's, that I should be rather afraid to introduce here.

Timothy served one or two sessions in Congress from Ficklin's old district. He was a member of the House of Representatives when Col. Benton was a member of the Senate from Missouri. I allude to this circumstance for the purpose of relating a very amusing story that "Tim" told me about Col. Benton. The reader will remember that Col. Benton prosecuted a showman for having advertised that he would exhibit a "woolly-hoss" which Col. Fremont had captured in the Rocky Mountains, and had tamed him. Col. Fremont, as everybody knows, is the son-in-law of

Col. Benton. Benton left the Senate temporarily, and was fourteen days engaged in prosecuting the showman at Washington City. One day about the end of the prosecution, Timothy met Col. Benton on Pennsylvania avenue, who came strutting along like a conquering hero. Tim asked him how he got along with the prosecution of the showman. It is well known by all those who know anything about Col. Benton, that although a man of considerable talent, he was vain, egotistic, and exceedingly profane, and embellished his discourse at the beginning or end of nearly every sentence with an oath, which I will have to omit, as I expect these memoirs will meet the eyes of many pious persons; so those who would like to have his answer to friend Young in full must supply it from their imagination. "O!" says Benton, "I have beat him, by—; beat him on chronology, by—sir. I took the date that he gave as the time of the capture of the 'Wooly-Hoss' by Col. Fremont, and proved, by G—, sir, that Col. Fremont was not within a thousand miles of the place of the capture of the horse at the time fixed for his capture by the d—d showman."

"Well," said Tim, "Col. Benton, I am at a loss to understand how you or your son-in-law, Col. Freemont, could feel the least annoyed or bestow the least attention on this showman; for what does it matter whether Col. Freemont caught a 'Wooly Hoss' or not in the Rocky Mountains?"

"What does it matter? By G—d, sir," says Benton, "this a matter of no importance? By G—d, sir! shall I suffer a d——d showman to connect my son-

in-law's, Col. Fremont's name—a man of historic character, by G—d, sir, as being the catcher and tamer of his d——d 'Woolly Hoss'? and leaving it to be inferred, by G—d, sir, that Col. Freemont was a sort of silent partner of his, and had some interest in the proceeds of his d——d exhibition? No, by G—d, sir, if it had taken a hundred days instead of fourteen, Mr. Young, I would have freely given it to expose this vile showman and disconnect the name of my son-in-law with this vile showman and his d——d '*Woolly Hoss*,' by G—d, sir!"

I have very little more to say of my old friend Timothy R. Young. I had some hesitation about introducing his name into these memoirs, for the reason that he is certainly not a great man, and equally certain it is that he is not a little man. Though he did not figure in Congress as a speaker, yet by his social qualities and private intercourse with the members, being beloved by all who knew him, and making sunshine wherever he went, he was enabled to wield a vast influence, which he turned to good account for the constituents of his Congressional district.

I have only this apology to offer for introducing the names of men of mediocrity, that there must be a foil or shade to every picture, and it is impossible for me to have none but great and heroic characters, and my readers must not expect that amongst my numerous acquaintances I shall introduce none but a Lincoln, Douglas, Ford, Palmer or Hardin. This world is made up of great and small men and men of medium size, and it often happens that men who belong to the two latter classes have been more worthy and

done more valuable service for their country and friends than the shining lights of talent and of genius.

My friend Tim Young, I am happy to say, is in the most easy of circumstances, for besides a considerable real estate which he owns in Chicago, he has a fine farm in Clark county, where he dispenses the hospitalities of host to his visiting friends, and those are to be numbered by hundreds.

KIRBY BENEDICT.

WORTHY reader, I will here introduce to your acquaintance an old and cherished friend of mine, with whom I became acquainted long years ago. His name is Kirby Benedict, a lawyer of considerable talent and genius; and for oratorical power, I think he was equal to any of the best speakers I know of in the west. In that particular he had great versatility of talent. Now he would convulse his hearers with laughter, and in the next breath melt them into tears.

He used to practice on Lincoln's and my old circuit, before Judge David Davis, and also before Judge Harlan. His voice was like a bugle note, and full of musical sweetness. He was a man above the medium size, of fine personal appearance, of good address, but somewhat pompous in his manners, but not offensively so. Kirby was quite vain, fond of popular applause, and very sensitive if he thought himself to be the subject of either censure or ridicule. If his opponent at the bar got the advantage of him by setting a trap for him to fall into, he would be mortified to death, almost, when he found it out. I will give a circumstance here which occurred between Kirby, Anthony Thornton, late Judge of the Supreme Court, and

myself. It happened while we were attending the Moultrie County Circuit Court.

Thornton and myself were defending a man charged with hog-stealing, and the State's Attorney employed Kirby Benedict to assist him in the prosecution. There was a vast crowd in attendance, the trial exciting a great deal of interest, the prosecutors of the accused being his sister and her husband, who swore against him with a vengeance. When the evidence was through, our client leaned over and whispered to Thornton and myself and asked us what we thought of his chances. Thornton told him that he did not think they had make out any case against him; but I differed with Thornton, and told our client that the chances for his acquittal were very slim. I shall never forget the look he gave us when he said, "Boys, shall I take to the brush?"

"Oh no," said I, in an ironical tone, "I should be very loath to give you such advice as that; but this is a very warm day, and you must be thirsty, and the water here is about as bad as any I ever drank." Turning to Thornton I said, in a low tone, "Anthony, don't you think the water in Kentucky a great deal better than here?"

"Oh yes," said he, "much better."

Our client was not slow to take the hint.

Said I to him: "If you are dry, go and get a drink; your presence is not particularly needed here during the argument, and we will make that consume the rest of this day."

He quietly slipped out of the court house, and I have never seen him from that day to this. I arranged

with Thornton a plan of operations to make the arguments consume the rest of the day, so that our client might get away as far as possible before he was missed. The trap set was this: after the prosecuting attorney had made the opening speech, Thornton was to follow in a long speech, in which he was to pour out vengeance on the prosecuting witnesses, and touch up Benedict by way of anticipation. I was to wind up the argument on our side in a similar style. Thornton consumed about one hour and a half. I determined to consume about twice that length of time if I could do so. When it came my time to speak I was put to the very end of my wits to know how I should make a three hours' speech upon evidence which was short, plain and to the point; but I was enabled to do so. I consequently put on a bold look and manufactured the principal part of my speech in anticipating Benedict. I made all sorts of ludicrous comparisons in reference to him. Said I: "Gentlemen of the jury, he thinks himself a great man, but you and I know that he is not; but that he is a living and moving mass of vanity and egotism. And what claim, gentlemen of the jury, has he to enroll his name with respectable lawyers, when he has come here and for the small sum of five dollars has hired himself to these wicked and diabolical witnesses to assist them in the prosecution of their brother?" and I went on in this strain as long as I could have any decent excuse for doing so.

Benedict fairly snorted through the court house. O, but he was anxious to get at me! And what gave him greater offense than all, was that every now and then I would stop and burst out into a great horse laugh,

when no man of sense could see any cause for it; but as laughing is contagious, the jury and the crowd joined me in my merriment, but Benedict did not participate. He strode across the floor, and the spirit of ten thousand storms had painted itself upon his face. About this time some of the crowd had discovered that the defendant had sloped, and they tried to make Benedict acquainted with the fact, but he waived them off and would not listen to them, being intent on the castigation he was going to administer to me. He was like a volcano on the eve of an eruption. He commenced his speech when the sun was about two hours high, and O, didn't I catch it! But I was content, knowing that Benedict had fallen into my trap. About this time a large portion of the crowd had begun to see what was in the wind, and as I came outside of the bar I met Major Poor in a perfect fury. Said he to me: "Linder, your client has 'cut sticks,' and I am inclined to think you advised it."

"O, no, no, Major," said I, "I hope you don't entertain such an opinion of me. I didn't advise him to run away. During the trial he asked me if he should take to the brush, and I told him no; "but," said I to him, "as the day is hot, and you are perhaps thirsty, and being out on bail, you have a right to go and get a drink of water," and that was all I said to him; but I asked Mr. Thornton in his presence, Major, if he did not think the water in Kentucky was much better than in Illinois, and he said it certainly was." "Now," said I, "Major, if my client should have taken this as a hint to leave and jump his bail, I shall feel *exceedingly sorrowful!*"

"O the devil take you and your sorrow," and we both burst out into a hearty laugh.

That evening I settled my hotel bill and mounted my horse and started home. This was just about dusk. As I passed by the court house I heard Benedict's sonorous voice pouring out wrath upon my head. I went home and did not return to the next term of court at Moultrie. I learned from the sheriff that the jury had returned a verdict of guilty against my client. "Well," said I, "sheriff, what did you do with him?"

"What did I do with him?" said he, "what could I do with him? He had sloped before the verdict was rendered, and the court issued its writ directed to me, commanding me to take the body of the defendant *if found within my county*, and to bring him into court at the next term thereof to hear the verdict of the jury and receive the sentence of the court."

"Well," said I, "why don't you take him?"

"For a very good reason," said he; "he never comes into Moultrie county, but he stands on the other side of the line dividing Moultrie from Coles, and will jaw me for an hour at a time; and now," says he, "Linder, I want you to tell me what I shall do in this case."

"Well," said I, "sheriff, if ever you can lay your hands on him in Moultrie county, do you put him in jail; but I don't think the writ you have gives you any authority to cross the line into Coles and arrest him there."

When Benedict learned the trick that had been played upon him, he was exceedingly mortified for

awhile, as I learned, but finally laughed it off, and said he had gained the victory, but that we had cheated him out of the fruits of it.

When I first knew Kirby Benedict he lived in the town of Decatur, Ill., which was on Lincoln's Circuit, he and Lincoln being great friends and cronies, and I know from Lincoln's own lips that he enjoyed Benedict's society hugely. The truth is, all the lawyers liked Benedict. Judge Davis I know was extremely fond of him.

There was a lawyer who practiced on Judge Davis' circuit by the name of David Campbell. He and Benedict were in the habit of playing their tricks on each other. The hotels in those days I remember being scarce of beds, used frequently to put two of us lawyers in one bed; and it frequently fell to the lot of Campbell and Benedict to occupy one bed between them. One day I heard Campbell say to Benedict, with a smirk on his face: "Benedict, you must get the landlord to furnish you a bed to yourself."

"Well, suppose he hasn't got one?" said Benedict.

"Then you must sleep on the floor, or get the landlord to furnish you a berth up in his hay-mow."

"What is your objection to sleeping with me, General David Campbell?" said Benedict.

"D— you," said Campbell, "I never did *sleep* with you, but have lain with you. To sleep with you would be impossible. You snore like a Cyclops, and your breath smells so of mean whisky that I would as soon breathe the air of a charnel house and live in reach of its eternal stench."

"Well," said Benedict, "*General Campbell*, I will

show you that you *shall* sleep with me, and if either of us has to sleep on the floor or go to the hay-mow, it will be you, d— you, and not me."

"Well, well," said Campbell, with a sinister smile on his face, "we will see about it."

So that night Dave Campbell went to bed earlier than usual, and at about twelve o'clock at night along comes Benedict, pretty much "how-come-you-so." Addressing himself to Campbell, who feigned to be half-asleep, he said: "Hullo there! Dave, lay over to the back of the bed and give me room in front."

Before going to bed that evening Dave had armed his heel by buckling on it one of his spurs. When Benedict got undressed, even to the taking off of his drawers, he jumped into bed and began to fondle on Campbell. Dave quietly drew up the heel that had the spur on and planted it about six inches above Benedict's knee and gave it a turn downwards, crying "Get up there! Get up there!" as though he was speaking to his horse. Benedict gave a sudden leap and landed about the middle of the floor, crying out in great agony: "Jesus! the d—d fellow has got the night-mare or *delirium tremens*, and has taken me for his d—d old horse."

Judge Davis and Lincoln, who were sleeping in the same room, could stand this no longer. They burst out into the most uproarious laughter.

Benedict was a hard man to beat before a jury, but if you could pierce him with the keen shaft of ridicule, he was not so hard to beat, for he was apt to get irritated and say something that would make him assailable, and give the advantage to his opponent.

Benedict has for a long time been out of the States, having been sent as United States' Judge to New Mexico during the administration of President Pierce, where he has been ever since. He was the Chief Justice of that territory when Mr. Lincoln was elected to the Presidency, and though he was strongly besieged by political aspirants to remove Benedict and appoint a man of his own party to fill the place, Mr. Lincoln positively refused to do so; and when asked for his reasons, told them that he had enjoyed too many happy hours in his society, and he was too good and glorious a fellow for him to lay violent hands upon; that he could not find it in his heart to do so, and he wouldn't; nor did he. I have no further reminiscences I can call to mind now of friend Benedict, but I desire to bear testimony to his shining genius and talent, and his eminent social qualities.

ALEXANDER P. FIELD.

THERE is a man that I cannot overlook, because he has occupied too prominent a place in the public mind of Illinois for nearly fifty years, and I *must* give him a place in these memoirs. It is Alexander P. Field, who was Secretary of State under Governor Duncan when I came to Illinois in 1835. He was decidedly the most prominent lawyer in the State at that time, especially as a criminal lawyer. He was sent for everywhere in the State by persons charged with murder, and other high offenses, and was very successful. He was a man of fine personal appearance—about six feet four inches high, with long arms, and possessed of very graceful gestures; a fine voice, that he could modulate almost at will, and his power and influence over juries were almost unlimited. I have already alluded, in my sketch of Gen. John A. McClernand, of his and Field's contest for the Secretary of Stateship, before the Supreme Court of the State of Illinois, in which Field was successful and kept the office. The opinion of the court, delivered by Chief Justice Wilson, can be found in the first or second of Scammon's Reports, which is very long and able, but was not considered as authority in after years, when five democratic judges

were added to the number of the four old judges, and a Democratic Secretary of State was appointed. Field, knowing that the court as then constituted would reverse the decision of the old court, declined to contest the appointment and retired from the office.

Field was not only a great criminal lawyer, but he was great in all that class of cases which sounded in damages—such as slander, seduction, and breach of marriage promise, etc. He obtained some of the largest verdicts of any lawyer in the State. He was not only great before courts and juries, but he was great as a political speaker, and he could madden or convulse his audience with laughter, at pleasure. In 1836 and '37, when we embarked in, as was then thought, our wild scheme of Internal Improvements, Field frequently addressed the lobby, he believing the scheme to be Utopian and impracticable. He ridiculed the idea of constructing a railroad like the Central, from Chicago to Cairo. First, we could not get the money to build it; and second, if we could, and the railroad should actually be built, the trade and travel between those points would never be sufficient so support it. "Ladies and gentlemen, let me imagine I see one of our plain Illinois suckers standing near the road as a train of cars comes dashing up from Cairo to Chicago; the sucker exclaims, 'Railroad, ahoy!' The conductor checks up his cars, when the sucker continues, 'where are you from and where are you bound?' The conductor answers in a fine and feeble voice, 'From Kiro to Chicago.' 'What are you loaded with?' says the sucker. The conductor answers, 'With hoop-poles and bull-frogs.'"

Field believed that there was not money enough in the whole world to build the roads that we had mapped out in our scheme; but he has lived to see his egregious error, for the money has been furnished to build twice as many miles of rail road as we mapped out in our scheme of internal improvements for the State of Illinois alone.

A. P. Field removed from this State to New Orleans about twenty or twenty-five years ago, and has become a man of mark and placed himself at the very head of the Louisiana bar. Field was a fearful and terrible opponent in a political campaign. He was withering in sarcasm and repartee. I recollect to have heard him on one occasion on the stump, when replying to a political opponent whom Field charged with having finally got on the side opposed to himself (Field) after changing his politics once or twice. "Gentlemen," said Field, "I don't know where to find him. He reminds me of the negro in Kentucky whom his master had set to listing off the field into furrows for the purpose of planting corn, who coming up and looking at the darkey's work, said to him: 'Ned, your furrows are not straight; you should stand about four feet from your last furrow and take an object upon the opposite side of the field and drive straight towards it. Now put your plow in here, which is about four feet from your last furrow, and drive for that cow which is on the opposite side of the field, and make straight for her tail, and you will come out right.' His master went away, and in about an hour came back to see how Ned had obeyed his instructions. He went to where he had started Ned, and looked along down his furrow,

but didn't see anything of Ned; but on casting his eye off obliquely to the right, he saw Ned close to the cow, and made for him, following the furrow around until he got to him, which took him in a very circuitous route. Being in a great passion, he said to Ned, 'Didn't I set you to plow straight furrows?' 'Yes, massa,' said he, 'but you told me to make straight for dat cow's tail, and I have followed the d——d hussey wherever she has gone, and if de furrows ain't straight enough to please you, I am berry sorry for it.' Now, gentlemen," said Field, "the gentleman who has preceded me has followed his '*loco foco*' cow wherever she went, and behold what a political furrow he has made!"

This produced a tremendous effect upon the crowd.

Field was not only a splendid orator, political debater, advocate and lawyer, but he could sing a good song and tell a good story. I remember at the Carmi Circuit Court he perfectly thrilled and electrified me by singing that beautiful song to be found in Moore's Melodies, commencing thus:

"So slow our ship her foaming track
Against the wind was cleaving,
Her trembling pennant still looked back
To that dear isle 'twas leaving."

My readers doubtless remember the balance of this beautiful song, and suffer me to say that it lost none of its beauties from the style, manner and voice in which Field sung it. It was upon this occasion, Jeff Gatewood, of Shawneetown, being present, that Field related the rencounter between Judge Jephtha Hardin and Jeff, in which Jeff used the words "little court,"

which I have already related in the sketch I have given of Judge Hardin.

I have only to state that Field was elected one of the members to the House of Representatives in Congress from the State of Louisiana after the close of our civil war, but as the reader will remember, they were not permitted to take their seats. I will state here that Field was descended from one of the most talented families in Kentucky, on his mother's side of the house. She was a Pope, and the sister of Governor John Pope of Arkansas, and of our own Judge Nathaniel Pope, of this State, both natives of Kentucky. I was personally acquainted with both these men.

I fear that I have not done full justice to Mr. Field. If so, I shall be sorry for it, and can only say if I have left out anything, it is the result of the failing memory of an old man.

ANTHONY THORNTON.

I WILL take the liberty of introducing at this place a man who is still living and well known to the public, especially to the legal fraternity, His Honor Judge Anthony Thornton, of Shelbyville, Ill. His first wife was Mildred Thornton, the daughter of the late William F. Thornton of Shelbyville. Anthony himself was either her second or third cousin. Anthony Thornton is a native of Kentucky, and hails from somewhere near the Blue Grass region thereof—I think from Paris or Cynthiana.

My acquaintance with Judge Thornton commenced when he was quite a young man, and must have been somewhere in 1839 or '40. He was attending the Coles county Circuit Court at Charleston, my then place of residence; and that was the first time I saw his Honor, the late Charles Constable. I was introduced to them both at the same time, and thought then, and I still think, that they were two of the finest, most imposing and handsome men that my eyes ever looked upon. They were both over six feet in height, well shaped and symmetrical in form, and it would have troubled the most tasteful young lady to have given preference to either of them. They had both but recently been admitted to the bar. Thornton was well

educated, and graduated at the Transylvania University of Kentucky. My acquaintance with him from that time up to 1860, when I removed to Chicago, has been close and intimate. We were often associated together in important causes; at least three cases of murder, many of slander, and a large number of other cases, both at law and in equity. He was a pleasant man to get along with if you took care to keep him in a good humor. He was a sound lawyer; prepared his cases well, and but seldom, if ever, came into court unprepared. As a man of honesty and honor, there is none to-day who stands higher with those who know him than does Judge Anthony Thornton with all those who have the honor of his acquaintance. Anthony had however his deficiencies, as I have been told, one of which was he had no ear for music; could not distinguish one tune from another, and could not tell when the fiddler was playing a tune or only tuning his fiddle; and on one occasion, having led out his partner to the head of a set of dancers, he actually commenced dancing when the fiddler was only tuning his instrument. Ah, Anthony! Anthony! this sad mishap of yours put you in a long state of quarantine, but you finally triumphed, as you richly deserved to do.

I served several sessions in the lower House of our State Legislature, he being the member from Shelby and I the member from Coles. It was between 1846 and 1850. It was during the time when we were struggling for our Terre Haute and Alton railroad, which ran from Terre Haute through Edgar, Coles, Shelby, Montgomery, Macoupin and Madison counties, terminating at Alton. Thornton and I had the

same interest, and stood shoulder to shoulder for this road, and to prevent a rival road from Terre Haute straight to St. Louis, which would have effectually killed ours. This is the same matter I have heretofore related in the sketch I have given of my old friend Gillespie, and should not have introduced it here, except to show the part taken therein by Mr. Thornton. No man gave to it a more effectual support than he.

Some years elapsed after he reached the legislature before he was elected to Congress from the Sangamon district — Lincoln and Yates' old district. I think however that he never served but one term in Congress. I have nothing to relate as to the part he took while a member of Congress.

He was an old line Whig, and was a delegate to the Constitutional Convention of 1848 that formed our Constitution of that date. He was one of Henry Clay's greatest admirers, and almost worshiped him; and could not tolerate any man who attempted to disparage Mr. Clay. In this Constitutional Convention there was a delegate from Edgar county, a Baptist preacher of the old hard-shell order—a pretty talented man, whose name I will not mention here. He was no great friend to Mr. Clay, being of a different school of politicians. He and Thornton both boarded at Chenery's hotel. One day while sitting at dinner together with a great many other delegates, a discussion arose between Thornton and this preacher delegate, in which the latter claimed that John C. Calhoun, of South Carolina, was greatly Mr. Clay's superior in talent, eloquence and statesmanship, but wound up by saying in rather

a depreciating tone of voice, "Yet I will admit, Mr. Thornton, that your friend Mr. Clay is a very *smart* man."

Thornton in a towering fit of passion, jumped to his feet and said to the preacher: "Do you apply the mean, Yankee, horse-jockey word '*smart*' to such a man as Henry Clay? If you ever do it again in my presence I'll thrash you, d—n you, as long as I can feel you."

Judge Harlan, who was also a member of this Convention, and present on this occasion, gave me a graphic description of it, and he said that Thornton's construction of the word "smart" produced a universal burst and roar of laughter, and they kept it up till Thornton and the preacher had to join therein, and the matter was not attended with any serious consequences.

I will relate a matter here with which friend Anthony is connected, which would perhaps have found its place more properly in the sketch I have given of Gen. Wm. F. Thornton, his father-in-law. At a term of the Shelby Circuit Court, which was being held either by Koerner or Judge Treat, a good many lawyers from other counties were in attendance—among the rest David Davis, now Supreme Judge of the United States Court, O. B. Ficklin, myself, and a good many others. General Thornton had procured the indictment of a fellow who had stolen a bridle and a pair of martingals from his store. The fellow being tolerable cunning, got his friends to employ Anthony Thornton, the General's son-in-law, to defend him; and not being very vigorously prosecuted, of course he was acquitted. I was not in the court house when the

jury rendered their verdict of not guilty; but after it was over Anthony came to me at my hotel and said: "The General is in a perfect fury, and he expected you or Ficklin to have prosecuted, and I am sorry you did n't," said he. "And so am I," said I; and in a few minutes afterwards General Thornton made his appearance in the room where the Judge and all us lawyers were assembled. We all knew what was coming. He swore that the law, in the way that it was administered, was a mere farce; that the d——d rascal who had been acquitted was guilty, as everybody knew; and went on with a terrible tirade against law and lawyers in Illinois; and when he had pretty well exhausted himself, Judge David Davis, who was then nothing but lawyer Davis, in a very quiet and soothing way, said to General Thornton: "General, you know it is an old and humane maxim of the common law that it is better that ninety-nine guilty men should escape, than that one innocent man should be convicted."

"*No, sir*," said General Thornton; "by G—d, sir, the maxim is false, sir! I say, sir, that it is better that nine hundred and ninety-nine innocent should suffer, than that one G—d d——d rascal, like the fellow who stole my bridle and martingals should go unwhipped of justice."

Now it may seem strange to the reader that a man of General Thornton's intelligence should have given utterance to an expression so absurd as this, yet it must be remembered that he was in a terrible passion; but it was impossible for us to repress our merriment, and we all laughed to the very splitting of our sides.

In every position in which friend Anthony has been

placed, he has filled it with distinguished honor to himself and benefit to the country. I have not lost sight of my distinguished friend since I moved away from that part of the country, and am aware, as my readers know, that he was elected as one of the members of the Supreme Court of Illinois, which office he filled with distinguished honor, and has delivered some of the opinions of the court which will hand his name down to the latest posterity, especially one in reference to the rights of husband and wife under our recent statutes.

I know that he was very popular with his brother judges, especially with Judge McAllister; but to the astonishment of his friends and the public, he resigned and retired to private life. He had a handsome fortune to fall back upon, and the truth is, that no man of his talents, who has a good practice as a lawyer as he had, can abandon it and forsake the pleasant walks of private and professional life for the insignificant compensation given to our Supreme Judges.

I have given to friend Anthony such a notice as I think he is entitled to, and if I have fallen short of doing him justice, it is not willful, but the failure of memory. I wish to state in conclusion, that my recollections of him are of the kindliest character, which I believe he knows and fully appreciates.

NATHANIEL POPE.

THE next name which I propose to introduce into these memoirs is that of Nathaniel Pope, late judge of the United States District Court of Illinois. He has already been referred to in my sketches of other persons. He was a man of great legal attainments, and as I am writing these memoirs from memory, the readers must not hold me to a very strict account as to dates. My present impression is that Judge Pope was our first delegate in Congress from Illinois when it was but a territory. Judge Pope and myself were intimate, personal friends. I became acquainted with him in 1836 and '37, and we were warm friends to the last day of his life. He has gone to his rest.

I have not much to say of Judge Pope, except that he was an eminent lawyer at Kaskaskia, when Thomas Benton, from Missouri came across the Mississippi and practiced in the courts of Kaskaskia, and I believe Pope at that time practiced at St. Louis, and other towns on the Mississippi. He was the uncle of A. P. Field, about whom I have already written. He was pretty severe upon the lawyers who practiced in his court, and was not very choice as to the words he used when he saw fit to reprimand them.

Judge Pope is eminently a historical character, and was the father of General John Pope, who figured in our late civil war, and is memorable for having dated his military orders thus: "From head-quarters, in the saddle;" and is also memorable for having said in those orders that he was accustomed to victory, and that the term "retreat" was not to be found in his tactics or dictionary. But it is melancholy to relate, and I am sorry to have it to do, that he had to change his tactics and revise his dictionary when that man Stonewall Jackson got after him, who was a very pious man, and whose negro servant said, when asked about the habits of his master, "I tell you, sah, dat when massa Jackson get up free or fou' times in de night to pray, you might look out for hell de next day!"

Judge Pope, the father of General John Pope, sat on the bench of the United States District Court of Illinois for many years. I was a young man at the beginning of my acquaintance with Judge Pope, and a sort of pet of his, and he used to scold me for not coming to his room oftener than I did. He gave me a sketch of the characters of the principal men in Congress when he was a delegate, and especially of Ben Hardin, of Kentucky, of whom he did not entertain a very good opinion, although he admitted that he was a man of considerable talent, yet he was coarse and ungentlemanly in his deportment, and would cheat when playing at cards with gentlemen.

In the contest which I had with Stephen T. Logan, to which I have heretofore alluded, Judge Pope was with me on the constitutional question, and furnished me with very valuable thoughts and arguments. Judge

Pope's physical form was not very remarkable; he was rather above than below the medium height, and rather corpulent; a man could not look upon him without thinking that he was a man of considerable intellectual power. As I have said, he was the uncle of Field, and also of Ninian Edwards.

I heard Stephen T. Logan, whose opinion upon legal matters is entitled to great respect, say that Judge Pope was a man of the finest legal mind he ever knew, and this is entitled to the more respect from the fact that Judge Pope never showed Logan much favor in his court.

It would be a source of considerable pleasure to me if I could give more incidents in the life of Juge Pope, but the reader must be contented with what I have here written down.

I have often partaken of the old man's hospitality, and I desire to pay a tribute of gratitude and respect to his memory by saying that I cherish for him the kindest and most grateful remembrance.

JAMES SEMPLE.

THE next prominent man of my early days with whom I was acquainted was General James Semple. I met him in the legislature of 1836 and '37. He was one of the members from Madison county, Illinois; at that session he was elected Speaker of the House of Representatives, of which he and I were both members, being both of the same political sentiments; but I did not vote for him for Speaker, but voted for my friend, Col. John Dement, the son-in-law of old General Dodge, of Wisconsin.

Gen. Semple was one of our self-made men. Like Lincoln, Douglas and others, he rose into notice by the force of his own intellectual powers and worth, without the advantages of a liberal education.

My personal intercourse with General Semple was not of the most cordial character. He was inclined to be an overbearing man, and was not eloquent, and was envious of every man who was so; and when I was elected Attorney-General at that session, he took good care not to vote for me, and cast his vote for John Pearsons, who was not a candidate for the office, but one of my warmest and most devoted friends. Yet I do not cherish unkind feelings toward General Semple. When

he was sent as Minister to Bogota he left his law business in my hands in preference to all the lawyers in Madison county. His family and mine had the closest social relations, and Mrs. Semple I think was one of the most agreeable women I ever knew. The General has been dead for a number of years. Whether Mrs. Semple is living I know not.

General Semple was appointed by President Van Buren Minister to Bogota; and in 1843 he was appointed by Governor Ford as the successor of Samuel McRoberts, deceased, in the United States Senate, and after serving for one session as such appointee the legislature in December, 1844, confirmed his appointment by electing him for the unexpired term of his predecessor. On his return from Bogota, I being a member of the legislature, heard him deliver many interesting lectures in reference to that country.

General Semple was a tanner by trade, and rose by force of his native intellect to the high stations which he filled. He has not left us any speech or report which would hand his name down favorably to posterity, but I feel myself charged to some extent with that duty, and trust that some friend who has known me will not fail to transmit the name of old Linder to posterity.

JOHN DEMENT.

I HAVE a friend whom I cannot leave out of these memoirs, though he is not a lawyer; yet he is better than that—he is a brave and honest man. His name is John Dement, and he is still living at Dixon, Ill. I first met him at Vandalia, at the session of 1836 and '37. He was a member of the lower House, from Fayette county, Vandalia, and I took an active part in trying to elect him Speaker of that body. I have already, in another place, stated he was the son-in-law of General Dodge (the old General Dodge). I suppose he must be at this time over seventy years of age.

Jack Dement, if I mistake not, was a colonel in the Black Hawk war, and was at Stillman's defeat, and also at the engagement known as the battle of Kellog's Grove. Stillman's defeat was a most disgraceful thing, and a dishonor to the arms of Illinois. It occurred in 1832, before I came to the State; I therefore speak from information furnished by others. I have understood that Colonel Dement did all he possibly could to rally his men and make them fight; that he turned more than once in his saddle, and fired his gun at the savages, but to rally his men was utterly impossible. They ran like sheep chased by a gang of wolves.

Colonel Dement would ride and get in advance of them, and waving his sword, would cry out, "Halt! halt! halt!" but it was all of no avail. On they went, until the Indians got tired of chasing and scalping them. Some prisoner who escaped from the Indians, reported that when they returned to their camp they were in great glee; and flourishing their scalps, repeated the words of Colonel Dement, "halt! halt! halt!" in a laughing and derisive manner. Black Hawk, after he was taken prisoner and carried around through the United States to all our principal cities, for the purpose of satisfying him, if there was any purpose in it, that a war with us by his naked and half-starved tribes, was a most unequal contest, is reported to have said to one of our interpreters, that Colonel Jack Dement was the bravest man he ever faced in battle; and it affords me great pleasure to indorse the opinion of this great savage.

Colonel Dement was not only brave, but in the face of danger he was cool, cautious and prudent. That I am a living man to-day, I owe, perhaps, to his friendship, bravery and prudence. In 1837, after I was elected to the office of Attorney-General of Illinois, I got into a difficulty with a very desperate man, who was a member of the Senate, and he challenged me, and General James Turney was selected by him as his second, and he delivered the challenge to me. I accepted it, and referred him to Colonel John Dement as my second, who would fix the distance and select the weapons. Having expected this before I received the challenge, I had informed my friend Dement that I expected to be challenged and that I should select

him for my second, and should place my honor and life in his hands. He said to me: "Linder, I will take charge of both; and, without letting your honor suffer, will take good care that you never fight; for if you do, he will be sure to kill you, for he is as cool and desperate as a bandit." I replied that the matter would be placed in his hands, and I should refer his second to him (Colonel Dement) as my second, to arrange the distance and select the weapons with which we would fight. Accordingly, when General Turney called upon Colonel Dement, Dement informed him that we would fight with pistols at close quarters, each holding one end of the same handkerchief in his teeth.

"My God!" replied General Turney, "Colonel Dement, that amounts to the deliberate murder of both men."

"It don't matter," said Dement, "your principal is cool, desperate and deliberate, while my friend is nervous and excitable, and if he has to lose his life your friend must bear him company."

General Turney being a very humane and honorable man, and really as much my friend as he was his principal's, said to Colonel Dement: "Colonel, this meeting must never take place; so let you and I take this matter in hand and have it settled in an amicable way, honorable to both parties."

"The very thing," said Colonel Dement, "that I have desired to bring about. Linder is a young man and has just been elected Attorney-General of the State, and has an interesting wife, and little daughter only four years old, who have only been in this town (Vandalia) but a few days, and it would be next to break-

ing my heart to have the one made a widow and the other an orphan."

They agreed that a hostile meeting should not take place; and the matter was amicably and honorably arranged between the Senator and myself. We met, made friends, shook hands, and to the last day of his life we were the best of friends.

Col. Dement has filled various offices of honor and trust under the State and National government. He has been once or twice Receiver or Register of our Land Offices in Illinois; and in every position he has filled he has acquitted himself with honor.

Col. Dement, I believe, is a native of Kentucky. He has always been a Democrat in politics. He had an utter abhorrence of Abolitionists; but in our late civil war he and I both stood shoulder to shoulder in favor of a vigorous prosecution of that war. We spoke together at the same public meetings in the northern portion of this State, for the purpose of calling our young Illinois chivalry to arms. We both asserted publicly in our speeches that it was a war to save the Union, and not to emancipate the negro, or to make him the equal of the white man, for we both believed with our friend Douglas, who had often asserted it on the stump and elsewhere, that this was a white man's government, made by white men and for the benefit of the white race. But let it be remembered that these joint efforts of Col. Dement and myself were made before President Lincoln's emancipation proclamation, which I supported as a war measure, believing that it would end the war and prevent the further shedding of fraternal blood, in which belief it seems

I was sadly mistaken. Whether Col. Dement supported that proclamation I do not know. Upon that subject the Democratic party were somewhat divided.

I remember nothing more in reference to the public or private career of Col. Dement necessary to be stated in these memoirs. I wish my readers to understand that my object has been not to introduce any names into this history except those who are worthy to go down to posterity, and that the name, patriotism and public services of Col. Dement are entitled to be so perpetuated I have not the least doubt. I hope that some future historian will do more justice to the name of Col. Dement than one who has had to draw upon the memory of a frail old man. If these memoirs should go into print during the life of Col. Dement, and ever meet his eye, I hope he will pardon me for any errors of memory. I take my leave, therefore, of Col. Dement, and will pass on to some other historic character.

RICHARD YATES.

DEAR reader, if you think it a pleasant task to awake the memories of the past, and call back the features of beloved ones that are gone, and recount the pleasant intercourse that occurred between you and them, you are very much mistaken. Our recollections of our living friends can be recounted without any sadness; but of those who have long been dead, such recollections are like visitants from the grave. I will now introduce the name of a cherished friend who died some time ago—I mean Richard Yates, of Morgan county, Illinois. He was several times a member of the House of Representatives in Congress from his district. He was repeatedly a member of the Legislature of Illinois; once Governor of the State of Illinois, which was during the civil war; and in my humble opinion President Grant is in a considerable degree indebted to him for the position and fame he now enjoys; for he gave him, when he was a private citizen, the first military appointment he received. It was about the time of the commencement of the civil war. It is true, somebody, whose name I do not now remember, recommended him to Governor Yates when we were sadly in need of some qualified person to discipline our troops. Governor Yates was looking

around for such a person, and asking every intelligent person where he could find such a one, when he who recommended Grant said to him:

"Governor Yates, there is Captain Grant, late of the United States Army, and a graduate of the West Point Academy; why not give him the commission of a State Colonel to drill and train our Illinois volunteers?"

Yates did so, and I am inclined to think it was a fortunate thing he did so, for Grant had the peculiar talents that were needed at that time, and he went on from one promotion to another; and with the exception of one or two unfortunate reverses, he ascended from victory to victory, until the surrender of Lee crowned him as the great captain of the war, and covered him with unfading glory, and made him the most prominent man as candidate for the future presidency.

At the time of his appointment by Governor Yates, Grant was unknown to fame; but a few knew him as an ex-captain of the Mexican War, and but for this fortunate selection, perhaps the war might have resulted in misfortune to the Union. To what little causes are we indebted for great results! Bonaparte, who conquered nearly the whole of Europe, and of whom England stood in awe, was perhaps indebted for his ultimate success to the fact of his having returned the sword of General Beauharnais to his orphan son, Eugene Beauharnais, which introduced Napoleon to the boy's mother, to whom he became attached, and afterwards married; and through whose influence, counsel and advice, and the influence of her friends, Napoleon rose from one position to another, until he

cast his mighty shadow across the civilized world, and the eagles of France were hoisted upon the capitals of nearly all continental Europe, and her lilies were fanned by the breezes that swept over the pyramids of Egypt. How great a fire is sometimes kindled from a mere spark! But if ever Grant should kindle such a fire as Napoleon did (my readers must not understand me as predicting such a result), yet I do not want to be understood as underating the talents of General Grant, especially as a military man. I am free to confess that he is no ordinary man; and I have been informed by some of our Democratic Generals that he possessed the rarest powers of military combination. I was told by one of them that when he came into the army of the Tennessee, the army was thoroughly demoralized, their communications were cut off, but that in less than ten days the *morale* of the army was restored; their communications re-opened; the half-starved army re-victualed, and order, plenty and discipline prevailed throughout the army. This is really no small praise to be bestowed upon any man, especially coming from a political opponent.

Now, worthy reader, if I have not led you away too far from my friend Dick Yates, be good enough to consider him as the starting point of all these grand results.

Governor Yates, as my readers all know, was elevated to the Senate of the United States. He was a man of very rare elocution, and as a Fourth-of-July orator had but few equals, if any; he had the rare facility of stringing beautiful words and sentences together.

Yates was a handsome man, and I never saw a frown

upon his countenance in my life. He was eminently social and a little too convivial, as most of us were in early times. He was my warmest friend and most devoted admirer. I learned from a mutual friend of ours that Yates, who was listening to an effort I made in the House of Representatives, said to him after it was over: "There is no use talking, Linder is the greatest orator of this State."

Reader, pardon this vanity for repeating what my old friend Yates said, and may I not be pardoned also for saying that I was not displeased with the compliment paid by him to me? If he had any faults it is not my business either to remember or record them.

"Teach me to feel another's woe,
To hide the fault I see;
That mercy *I* to others show,
That mercy show to me."

I will say this, in regard to my old friend Yates: that whatever is good in his character I will transmit to posterity; but whatever is otherwise, I shall be inclined to be governed by the sentiment expressed in Sterne's "Life of Tristram Shandy," where Corporal Trim, the servant of "my Uncle Toby," had visited a wounded officer by the direction of his master, reported to his master that the officer must surely die. "No, Trim," said he, "he must not die. We will take him and nurse him, and he shall not die."

"I tell you, master, he will surely die; no human efforts can save him."

"I tell you," said my Uncle Toby, "by G–d, he shall *not* die."

And Sterne says that the accusing spirit that flew up

to heaven's chancery with the oath, *blushed* when he gave it in, and the recording angel, when he wrote it down, dropped a tear upon the word, and blotted it out forever." And with a charity like this am I disposed to deal with the faults of my old friend Yates. I believe that I shall meet him in a better world, for he was a devout Christian, and died in full fellowship with the Methodist Church.

He, Lincoln, Hardin and myself were warm personal friends. I don't believe, so far as his honor and integrity were concerned, that he has left a single blot on his name.

JOHN SCHOLFIELD.

I WILL now introduce a living character—Judge John Scholfield, of Clark county, Illinois, recently elected to the Supreme bench of this State, to fill the vacancy caused by the resignation of Judge Anthony Thornton, of Shelbyville, Ill. He is quite a young man to be elevated to so high a position; but he is a bright and shining light in the legal world, and should he reach the age of fifty or sixty, will doubtless make himself a name that will deserve to fill a much larger place in our legal history than I can give to him at the present time. He has not been at the bar over twenty years, and never filled any judicial station previous to his elevation to the Supreme Bench, although he was a member of the legislature from Clark county once or twice previous to his election as Judge of the Supreme Court. He was in the Constitutional Convention of 1870. I knew him before he was admitted to the bar—when but a mere boy. He rose from the very humblest walks of life. He graduated at the Law School of Louisville, Ky., and in a very few years made for himself a reputation at the bar that older lawyers might well envy.

I have met him repeatedly at the bar, and have been associated with him and opposed to him; and, in my humble opinion, he is one of the best lawyers of his age

I ever knew. I have read but few of his opinions as Supreme Judge, but I entertain no fears of his future. In giving my testimony to his high and transcendent legal ability, I know that I am in excellent company. Judge Breese, of our Supreme Bench, who ought to be considered good authority as to a man's legal attainments, asked me some eight or ten years ago if I had kept the run of John Scholfield since I had been living in Chicago. I told told him that I had not to any very great extent. "Well, sir," said he, "suffer me to say to you that he is one of the most promising young lawyers in America. He has practiced regularly in our court in such cases as came up by appeal and writ of error from the Wabash Courts, and I have had a good opportunity of estimating his ability, and know of no lawyer, old or young, that I can place above him." And Col. John Baird, of Terre Haute, himself one of the best lawyers in Indiana, told me not four years ago that Scholfield was the best lawyer he ever knew; and that seems to be the prevailing opinion with the legal fraternity wherever he is known.

It may be thought in bad taste on my part to introduce so young a man into these memoirs, but I could not deny myself the pleasure of heralding his approach to the coming generation of lawyers, and to them I leave the task of finishing what I have begun, which duty, I have no doubt, will be performed with more ability and accuracy than I have discharged mine. His future I leave with them, knowing that he will be in safe hands; so for the present, friend John, I bid you good-bye and God-speed, in your onward march up the slippery heights of fame.

JAMES HUGHES.

MY READERS must pardon me for stepping across the State line dividing Indiana and Illinois, and introducing the names of a few men eminent in the legal profession and not unknown to the political world, and nearly as well known in Illinois as Indiana. I therefore introduce to my readers the name of Judge James Hughes, before whom I practiced when he was Judge of the circuit court at Terre Haute and other Wabash counties. When I knew him, he resided in Bloomington, Ind., and I also practiced in his court at that place.

Besides being judge of the circuit court, he was also professor and secturer in the Law School at Bloomington. My acquaintance with him continued until he retired from the circuit court bench, and we often met as lawyers at the Terre Haute and Sullivan courts, and were sometimes associated together in important causes. The last one that I recollect was in Sullivan county, in which the Vincennes University was plaintiff, and Samuel Judah, an old and eminent lawyer of Vincennes, Ind., was defendant. It was on that occasion that we had a long and confidential conversation in reference to some of the great men of this country. I remember to have said to him when he

and I were on a long walk, that Mr. Webster, though I had never seen him, was in my opinion the greatest orator in America. "Well," said he, "Linder, I have heard him and Clay in the Senate of the United States, and suffer me to say to you that that little man Douglas, of your State, whom I have also heard repeatedly in the same body, as a speaker and debater, dwarfed both of them. Although," said he, "Judge Douglas, from his political course, has not made for himself a very warm place in my affections, as a debater, in my opinion Judge Douglas never had an equal in that body." And Judge Hughes was certainly no incompetent judge of men.

Since I removed from Coles county to Chicago, my personal intercourse with Judge Hughes has ceased. My readers, I presume, are aware that for a considerable time he was one of the Judges of the Court of Claims at Washington, and if my memory does not fail me, he was appointed to that office by James Buchanan One of my principal reasons for introducing Judge Hughes was, that I might give his opinion of Mr. Douglas, my old friend, whose memory is intertwined with every fibre of my heart, and whose name and fame, as far as I am able, I wish to exalt in the opinion of my countrymen.

ALFRED W. ARRINGTON.

I CANNOT refrain from introducing here the name of a man who died in the city of Chicago a few years ago. He was really one of the eminent lawyers in America, and a man of great learning—I mean Judge Alfred W. Arrington. He was over sixty at the time of his death. I do not know the State where he was born, but I do know that it was some one of the Southern States, for I have heard him say he was a Southern man. He began his career as a Methodist preacher in the northern part of Indiana, and rode the circuit in the Whitewater region; and the clerk of the United States Circuit Court of Indianapolis, told me that he had often heard him preach while on his circuit and at camp-meeting, and that he literally set all that country on fire by his magical eloquence and oratory. During the time of my acquaintance with Judge Arrington, his voice was very much shattered and impaired, which I attributed to his speaking in the open air when a preacher. His voice was a kind of whisper, but he could make himself heard by his audience, for such was the respect paid to his talent and genius that the most profound silence prevailed while he was speaking; during such times you might hear a pin fall. He was generally sought

for by one side or the other in the most important causes in the State and Federal Courts. The case, however, in which he most distinguished himself was the divorce case brought by Mrs. Stewart against her husband, Hart L. Stewart, Judge Arrington being in the defense. His statement of the facts in his opening speech to the jury and his comments thereon, is one of the finest specimens of legal eloquence I ever read. Nothing that ever fell from the lips of Phillips, Curran or Grattan surpasses it.

He not only practiced in the Federal Courts of Chicago, but in the Supreme Court of the United States at Washington, and was as much distinguished there as he was in the courts of Illinois.

In the Stewart trial great efforts had been made on the part of the plaintiff to make out a case against him (the defendant). They had employed lewd women to seduce him, and put detectives on his track to watch and report the result of their plan. I should have stated that Stewart was a young preacher of the gospel. But Stewart got wind of their plans to entrap him into criminal intercourse with these women, and employed detectives of his own to watch those of the other side. One of these women followed Stewart to some one of the Eastern cities and managed to get into his room; but Stewart was too fast for her and had already secreted his detective under the bed in his (Stewart's) room.

This *demi-monde* had the power of making herself very bewitching and attractive when she chose. She had got into the room and thrown down the bed-clothes and caught Stewart round the neck and pulled him down on to the bed, and as she was pulling up the

bed-clothes Mrs. Stewart's detective entered the room, exclaiming, as he did so: "I've caught you, have I, Mr. Stewart?" And at that moment Stewart's detective came out from under the bed, saying to the other detective: "I rather think I've caught you; I have been aware for some time of this nice little trap which you and your principal have set to catch Hart L. Stewart, and I think I have circumvented you."

On the first trial of this divorce case, where Judge Arrington displayed such marvelous talent and eloquence, the jury returned a verdict in favor of Hart L. Stewart, the defendant; but on a new trial, in which Judge Arrington did not defend, the plaintiff got a verdict and they were divorced. There are many other cases that I might enumerate, going to prove the pre-eminent talents of Judge Arrington, but I will let this suffice.

Judge Arrington was not only a great orator, but he was also a very considerable poet, and I believe his wife or daughter since his death has published a small book of his poems. I have never seen the book, but Judge Arrington in his life-time showed me quite a number of his poetic effusions, and they possessed many characteristics of excellence. One of the finest things that was ever written fell from his pen—I mean his "Apostrophe to Cold Water." I wish I could recall it so as to insert some specimens of it here.

Judge Arrington, as I have already stated, was a preacher in the Methodist Church, but shortly before his death he became a Catholic, and died in that faith.

After he ceased preaching and became a member of the bar, he went to Texas, and in a short time he was

made Judge of one of their circuit courts. He did not remain long in the South; he told me himself that there was too much rowdyism there to suit his taste.

I think he was as profoundly and deeply read in the common and civil law, and also in equity law as any one I ever knew. He had a very large brain—as large, if not larger, than that of Daniel Webster.

It would be interesting to any lawyer to collect and read his printed briefs, on file in the Federal and State courts. He was a ripe classical scholar. I have heard him quote by the paragraph from the Pandects and Novels of the civil law. His knowledge of Greek was equal to that of his knowledge of Latin. Henry Clay Dean, of Iowa, told me that Arrington was a cousin of his. He also told me in the same conversation that Arrington used to write speeches for the members in Congress, and that many of them got credit for eloquence which was really not theirs, but Arrington's.

It is painful to have to write the biographical sketch of a man to whose memory and fame you feel you cannot do full justice; and such is my condition at the present time in reference to Judge Arrington, the materials which I have being too scant and meagre to do him full justice. I must therefore do with him as I have done with some others—leave his history to be written up by some abler pen than mine, and by some person in possession of larger and ampler materials than mine. I wish to say to the bar generally, and especially to the younger members, that he was the most perfect model of a gentleman and lawyer that I ever knew, and they would do well to take him as an example, and walk in the lofty path he trod.

ARCHIE WILLIAMS.

I SHALL now introduce the name of a man widely and favorably known in Illinois and the West as one of the most profound lawyers, and especially as a land-lawyer, that Illinois has ever produced—I allude to Archie Williams, who was late one of the Federal judges of Kansas—one of Mr. Lincoln's appointees. He was a member of the Legislature of Illinois in 1836 and 1837, and of the same House with Lincoln, Douglas and myself. He was over six feet high, and as angular and ungainly in his form as Mr. Lincoln himself; and for homeliness of face and feature, surpassed Mr. Lincoln. I think I never saw but one man uglier than Archie, and that was Patrick H. Darbey, of Kentucky—also a very great lawyer, who once had a brace of pistols presented to him by a traveler he met upon the road, both being on horseback, who suddenly stopped, and asked Darbey to stop also, and said to the latter gentleman: "Here is a brace of pistols which belongs to you." "How do you make that out?" said Darbey. "They were given to me a long time ago by a stranger, who requested me to keep them until I met an uglier man than myself, and I have carried them for over twenty years; and I had begun to think that they would go to

my heirs when I died, but you are the rightful owner of the pistols. I give them to you as they were given to me, to be kept till you meet with an uglier man than you are, and then you will present them to him; but you will die the owner of this property, for I'll be d——d if there is an uglier man than you in the world, and the Lord did his everlasting best to make you so when he created you."

Darbey accepted the pistols, and I never heard of their passing out of his hands. I know not what might have occurred had he and Archie Williams ever met. If there had been a jury trial of the right of property between them, I think it altogether likely it might have resulted in a "hung jury."

Archie Williams sat near to Mr. Lincoln in the southeast corner of the old State House in Vandalia, on his left, and I remember one day of a friend of mine asking me "who in the h——l those two ugly men were." Archie and Mr. Lincoln were great friends. I recollect Mr. Lincoln asking me on one occasion if I didn't think Archie Williams was one of the strongest-minded and clearest headed men in Illinois. I don't know what reply I made at the time, but I know Mr. Lincoln said that he thought him the strongest-minded and clearest headed man he ever saw. In 1852, when the old Whig party made its last fight on old General Scott, I received a pressing invitation from Archie, O. H. Browning, and others, to come and canvass the district in which Mr. Browning was running against Wm. A. Richardson for Congress.

After some time I accepted the invitation. I remember that Richardson was very much alarmed when he

heard that I had come to canvass the district against him, and it was not long till he had Mr. Douglas there canvassing it for him, and kept him there till the election was over. It was during this time that there was an anniversary convention of the Whigs at Rock Island, to commemorate a treaty made with the Indians by General Scott some twenty or twenty-one years prior to this time, which was held on the lower point of the island, where the stand for the speakers was erected. I was invited to this convention by the citizens of Rock Island and accepted the invitation, and it was there I first met Governor Bebb, of Ohio. We both spoke there to a great multitude of people. It was there also I met a very wealthy man of the name of Le Clair; he was half Indian and half French, and was the interpreter at that treaty between Gen. Scott and the Indians. He was the owner of the Le Clair House in Davenport, just across the river from Rock Island, and a splendid hotel it was. I had a long conversation with Le Clair, and he told me some very amusing anecdotes of old Gov. Reynolds, who was present at this treaty, which I have now forgotten, over which I know I laughed heartily at the time of their recital by Le Clair.

But as I have wandered far away from my friend Archie Williams, I will return again to Quincy, where he resided. There was a Whig convention held there after my return to that place, at which I was one of the speakers, and having learned that a low, dirty loco-foco, who had by some inscrutable will of Providence got into the legislature when I was a member, and who had also risen to be mayor of Quincy, had

been going around the county attacking my personal character. I opened upon him in my speech and held him up to the scorn and indignation of my auditors. His name was William Pitman, and the cowardly wretch waylaid me as I was passing from the post-office to my hotel, the Quincy House, having hid himself behind a couple of goods boxes, being armed with a large hickory cane, jumped out from his place of concealment just as I passed, and commenced striking me with his cane over my head, from behind. It is a wonder he did not kill me, for I had nothing with which to defend myself, with the exception of a small gold-headed ebony cane. I turned upon him, however, and broke as well as I could the force of his blows with my small cane, which broke near up to my hand. I still pressed on upon him, and fortunately for me, his cane broke close up to his hand; but not until I had received upon my head some eight or ten blows. I however caught him by his hair, but being so much weakened by the loss of blood and the concussion upon my brain, I could not hold him, though I struck him several blows in the face, and he finally pulled loose, and without his hat, turned tail and ran like a turkey. After I had got my head dressed by a physician, whom my friends, Williams, Browning and Gen. Singleton brought to me, I armed myself with a good revolver furnished me by Gen. Singleton, and made straight for his house, but he was not there. I went boldly into his house and inquired of the inmates where he was. They told me he had left town a short time before. I was determined if I had met him in his own parlor to plaster its walls with his brains. He did not return

for several days, and when he did he took remarkably good care to keep out of my way. * * * *

On this occasion Archie Williams acted the part of a man and true friend. He sympathized with me to the fullest extent, and I feel it my duty here to say that an honester man and a more devoted and faithful friend never lived than Archie Williams.

I wish to say here in this connection, before my leaving entirely the subject of this rencounter with Pitman, that after it had taken place about a dozen young chivalric Whigs from St. Louis came to my rooms to offer their sympathies to me and express their admiration for the gallant way in which I had acted on that occasion, and offered their services to hunt up my assailant and take vengeance upon him, which I kindly and politely declined; telling them that I felt myself adequate to that task and did not wish to leave it in the hands of another, although he might be a brother.

I learned from a female relative of mine, who was a visitor at the house of Col. Richardson, that in two or three days after the occurrence between Pitman and myself, he came to Richardson's and entered the parlor where she and Mrs. Richardson were sitting, there being no others present, he evidently expecting sympathy from Mrs. Richardson; but he was sadly disappointed, for the first words she addressed to him were: "Pitman, I am ashamed of you; you have disgraced our party; you have acted the part of a coward and an assassin; you waylaid Gen. Linder, armed with a great hickory bludgeon, when he was wholly unaware of your intention to attack him, and as soon as he had passed you on the sidewalk you slipped out from your con-

cealment and struck him with your bludgeon from behind his back, and when he turned upon you, commenced retreating, and finally fled in a most dastardly manner, hatless and honorless; and as soon as you could saddle your horse fled from the city of Quincy to escape the punishment which your cowardly heart told you he would inflict upon you; and if you have come here for sympathy from me or Col. Richardson because we are of the same politics as you are, I want you to understand that you are mistaken, for we have no fellow-feeling with such a craven coward as you are."

My relative told me he looked like he could sink through the floor, and without saying a word in reply, he bowed to the two ladies and left the house.

I know not at this time whether Pitman is dead or living. * * * * I am a Universalist in my religious creed, in which I may be wrong, but if I were offered a seat in heaven by the side of Pitman I am not sure that I would accept it.

I now take my final leave of my friend Archie Williams, who has long since gone to his last account; and if I am right in my views of the mercies of God, he is now walking the golden streets with Douglas and Lincoln, where I expect at no distant day to join them; and on the green and sunny banks of deliverance, strike hands with the old friends about whom I have written, and sit down with them and sing the song of "Moses and the Lamb;" till which time I bid farewell to the memories of them all, and will now turn my attention to another name.

JAMES SINGLETON.

THE next name that I shall introduce here is that of my old friend General James Singleton, now of Adams county, Illinois, and I believe a resident of the city of Quincy, where he lives, as I have been informed recently, in a palatial private residence, and dispenses his hospitalities to all his old friends who call upon him, with the elegance and munificence of a prince; and what is still better, the cordiality of an old Virginia gentleman, in which glorious old commonwealth he was born and educated until he came to man's estate. How old he was when he came out to the Western country I know not. The commencement of my personal acquaintance with him dates back as far as 1840, and it may be a year or so earlier. I served in the legislature with him in the lower House one or two sessions, between 1846 and 1850. We did not always agree upon matters which came before that body, but we were from the commencement of our acquaintance up to the last time we met, intimate and devoted friends. In 1852, he lived in Brown county, I believe at the county seat, through which I passed after leaving Quincy, and at which I stopped with my female relative before alluded to, and there partook of General Singleton's hospitality.

Gen. Singleton was a Whig of the Henry Clay school. He was a man of unquestioned bravery, and was descended from a race of brave men. I have had it from men who knew the facts, that his father whipped and killed a great black bear in the mountains of Virginia in a fair stand-up fight, with no weapon on his part other than a butcher knife. This may seem strange to those who know nothing about the bear. But those who are acquainted with that *gentleman*, know that when attacked by a man he will rear himself upon his hind legs and box like a pugilist, and woe be to the man who comes to close quarters with bruin, and gets within his hug. But Mr. Singleton, the father of the subject of this sketch, knew what an enemy he had to deal with, and so skillfully conducted the combat, that after having several large pieces of flesh bitten out of his body, he dispatched the gentleman and went home with his skin and choice bits of his flesh, upon which flesh he and his family made a most delicious repast. My father, who was an old bear-hunter, has often told me there was no meat so delicious as bear-meat, and I have heard him say that he has drank a pint of bear's oil in the form of what we would call gravy, without turning his stomach. When I was but a babe, some sixty-five years ago, Kentucky was a perfect hunter's heaven, full of deer, elk, bear and buffalo, beaver, otter, turkey and many other kinds of game; and they made bacon of the bear and cured his meat as we do that of the hog at the present day.

General Singleton, with John J. Hardin, Stephen A. Douglas and others, figured prominently in what

was called the Mormon war which occurred during the administration of Governor Ford, when the Mormon power, under Joe Smith, was located at Nauvoo, on the Mississippi river, but which was happily settled by a skillful negotiation with Joe Smith, conducted on the part of the State by Stephen A. Douglas, and no blood at that time was spilt.

After 1852, I met Gen. Singleton in Springfield, Ill., during the session of the legislature, when neither of us were members of that body. Since that time I do not recollect to have met Gen. Singleton, but I have learned from good authority that he went to Washington City during our civil war, on the invitation of President Lincoln, who sent him to Richmond on a secret and confidential embassy, to feel the pulse of the South, for the purpose of ascertaining if an amicable arrangement could not be made, restoring the Union and preventing further bloodshed. A better man for that purpose could not have been sent. Being a native of Virginia and having a large and extensive acquaintance, and being also brave and popular with Virginians, it might reasonably be expected that if any man could effect anything with the Southern Confederacy it would be Gen. Singleton; but the South were in no mood to listen to any terms of accommodation coming from or through whatever source they might. So General Singleton returned to Washington City and reported to President Lincoln the fruitlessness of his embassy. The foregoing facts I did not derive from Gen. Singleton, but got them from other sources. If I am wrong in the character of his visit to Richmond, he, when these memoirs meet

his eyes, can set me right. Taking what I have said to be true, there is certainly nothing in it discreditable to him, but his conduct was every way patriotic and honorable.

There is little more I have here to say of Gen. Singleton, save that I have heard through a long series of years, that he has made and spent some three or four fortunes, and now is the owner of a splendid and unincumbered estate in Adams County, Ill.; and I am safe in saying that in all the vicissitudes through which he has passed, he has not left a single blot or stain upon his honesty or honor. He is a lawyer by profession and of decided talents and ability as such; but he has figured more in the political than the legal arena.

If I have not done full justice to Gen. Singleton in this sketch, it has not been for want of a warm and ardent desire to do so; and it would grieve me to the heart if a failure on my part in that respect should disturb for a moment the long and cordial friendship which has existed between us. I look back to the intercourse and intimacy which has existed between Gen. Singleton and myself for more than thirty-five years, with as much pleasure as I do to my friendship and intercourse with any other man.

E. D. BAKER.

I SHALL now introduce to my readers the name of Colonel E. D. Baker, of Springfield, Illinois. He was elected to the lower House of the legislature of Illinois, from Sangamon county, to fill some vacancy that occurred by death or resignation, and took his seat at the special or call session, which occurred in the summer of 1837. At that time I was not personally acquainted with Col. Baker; but became so in the fall of 1837, in Carrollton, at a term of the Green county Circuit Court, at which term Judge Stephen T. Logan, whose life I have already sketched, and Col. Baker were in attendance; and it was arranged between the friends of these two gentlemen, who were of the extreme Whig and bank school, and the friends of Josiah Lamborn and myself, of the opposite school, should debate the several questions—a bank tariff, etc.—then at issue between the two great parties of the nation. The debate lasted for three or four consecutive nights.

On a later occasion, when Col. Baker and myself were both battling together in the Whig cause, at a convention held in Springfield, I made a speech at the State House, which I think now, looking back at it from this point, was the very best I ever made in my life; and

while I was addressing the vast assembly some ruffian in the galleries flung at me a gross personal insult, accompanied with a threat. Lincoln and Col. Baker, who were both present, and warm personal and political friends of mine, anticipating that I might be attacked when I left the State House, came up upon the stand a little before I concluded my speech and took their station on each side of me, and when I was through, and after my audience had greeted me with three hearty cheers, each took one of my arms, and Lincoln said to me: "Linder, Baker and I are apprehensive that you may be attacked by some of those ruffians who insulted you from the galleries, and we have come up to escort you to your hotel. We both think we can do a little fighting, so we want you to walk between us until we get you to your hotel; your quarrel is our quarrel, and that of the great Whig party of this nation, and your speech upon this occasion is the greatest one that has been made by any of us, for which we wish to honor, love and defend you."

This I consider no ordinary compliment coming from Mr. Lincoln, for he was no flatterer, nor disposed to bestow praise where it was undeserved. Col. Baker heartily concurred in all he said, and between those two glorious men I left the stand, and we marched through our friends, out of the State House, who trooped after us, evidently anticipating what Lincoln and Baker had suggested to me, accompanying us to my hotel; but the anticipations of my friends were not realized, and after reaching my hotel, and receiving three more hearty cheers from the multitude, I made my bow and retired to my room.

Now, worthy reader, permit me to say that this was one of the proudest days of my life; not so much on account of the applause paid me by the multitude as on account of the devoted friendship shown by Lincoln and Baker. Dear friends, you both sleep in bloody graves—one falling by a shot fired by a miserable assassin, and the other falling at Ball's Bluff, pierced with many wounds, fighting in the cause of the Union. Your names and memory are embalmed in the hearts of your countrymen, and to your memory history will erect a more enduring monument than all that stone or marble can do. My heart has, does and will make a periodic pilgrimage to your graves as long as my life shall last!

Col. Baker, or rather I should say Gen. Baker—for that was the office he filled at the time of his death—filled high places in the Federal Government previous to his death at Ball's Bluff. He was Colonel, and commanded a regiment in the Mexican war under Gen. Scott—the best disciplined and best trained regiment in the whole army—and fought with him at the battle of Cerro Gordo, and clear up through the Valley of Mexico to the taking of the city of Mexico, the ancient city of the Montezumas. If I have not already stated it in the sketch I have given of my friend Dick Oglesby, I will here state what I believe is the fact: that he, Oglesby, was a lieutenant in Col. Baker's regiment. Col. Baker I think, after his return from the Mexican war, was elected a member of Congress to the House of Representatives from what was known as the Galena district of Illinois, when it was believed that no Whig could be elected from that district. He

afterwards removed to the State of Oregon, and was elected by the legislature of that State to the United States Senate for six years. Had he continued in civil life, and not sought military honors, he might have been living to-day; but seeking that kind of fame, he fell a victim to his ambition at Ball's Bluff.

Baker was one of the most eloquent men that I ever heard speak to a public audience. About the time when the question was being agitated before Congress, whether we should extend our territorial limits as against the British government in Oregon, he advocated that claim, and I heard him make a speech before the lobby in Springfield while the legislature was in session, in which he said "there was not an inch of ground, however barren and sterile it might be—not one inch of sandy desert—that he would consent to yield to the arrogant and grasping pretensions of Great Britain." The Whig party did not unanimously agree with him at that time, but how that is I cannot say, for finally Mr. Benton, Senator from Missouri, showed clearly in the body of which he was a member, that our claim did not extend beyond forty-nine degrees north latitude, and upon that line the two governments finally settled. One remark made by Col. Baker in the speech to which I have before alluded, which I have left out, was, he "would not consent to give her an inch of sand that glittered in the sunbeams, that did not clearly belong to her."

I must say that in this I agreed with Col. Baker.

I must here relate an anecdote which is told of Col. Baker, going to show his great vanity, for all great men are more or less vain, but I must confess I believe

the anecdote a fiction. Col. Baker was born in England and brought to this country when but a small babe, and the story runs thus: After he had grown to fame and distinction, he was found in the woods seated on a log, crying and sobbing as though his heart would break. A friend coming unawares upon him, said to him: "My God! Baker, what is the matter? Have you lost some dear friend?" "No," said he, but I was born in England and am not a native of the United States; and looking over the Constitution I find that I am forever excluded from being President of the United States."

He was certainly a very vain man; but he had a right to be so. I have often noticed him after making one of his finest efforts, go around the crowd to catch what it might say of his speech. He had more of this kind of vanity than any man I ever saw.

He was an excellent lawyer, and I have seen him go into causes without any previous preparation, especially cases in chancery, and after hearing the bill, answer and depositions read, would pitch into the cause, and a bystander who didn't know the facts, would have supposed that he had been familiar with the case and had studied it for months before.

At this point I bid my friend Baker farewell; and as he has gone to the summer land, I trust I shall meet him there, with all the rest of my dear departed friends.

DANIEL W. VOORHEES.

I WILL here introduce the name of a man not of our State, but who is almost one of us, for he has practiced law up and down the Wabash country, on both sides of that river, as well in Illinois as in Indiana—I mean Dan. Voorhees, of Terre Haute, Indiana. I have had great hesitation about giving a sketch of his career, because I do not wish to re-publish what has heretofore been published a thousand times in reference to his political career, his speeches in Congress and elsewhere.

Dan does not belong to Indiana alone, but he belongs to the nation. He is emphatically a national character. He has made speeches in Congress that would do honor to a Burke, a Fox, or a Lord Chatham. I have sat under his speeches many a time perfectly entranced and bewitched by his eloquence. I really think that I can in truth say that I never heard so fine a speaker. I can't give my readers a better description of Dan's eloquence than what the old Ranger, Gov. Reynolds, said of Henry Clay. Being called upon by us younger men (who knew that the old Ranger had often heard Clay, Webster and Calhoun address the Senate of the United States), to know what he thought of Mr. Clay's eloquence, and to give us some idea of

it. "Well," said he, "gentlemen, fancy fifty fiddles finely played, and all in full blast at the same time, and you have only reached the half-way point to the enchantment and charm produced by his voice and eloquence." "But," said one of our number, "Gov. Reynolds, you certainly overlooked Mr. Calhoun and Daniel Webster." "No I haven't," said he; "I have heard them all in their pride and power, and at the summit of their fame, and I tell you, gentlemen, set them beside Henry Clay, and measure them with him, and they would strike him about the waistband of his breeches." And so I think in reference to the modern orators and speakers when compared with Daniel W. Voorhees, for I am free to confess I would rather hear him speak when under the proper inspiration than listen to the finest band of music that ever filled the air with its melodies.

There is not a man in Europe or America who ever surpassed Dan Voorhees in the powers of elocution. Now I don't want my readers to understand that I mean to exalt Dan to the rank of a great statesman, or philosopher; I only mean to say as a great jury lawyer and popular declaimer he has no equal—and there I stop.

Dan is a convivial soul. He studied law under Ned Hannegan—a fine school of eloquence it was. He is still a young man, and had he not been somewhat erratic in his political course, might have had a fair chance to reach the Presidential chair; but such men never reach the presidency. Who would not have thought that such men as Mr. Clay, Webster or Calhoun, would have been elevated to the presidency,

when such men as Pierce and Polk were elevated to that position?

I am not writing this work to praise any man or any party, but to deal out even-handed justice to all men and all parties. I am sure that Dan Voorhees, with myself, has sympathies connected with the South. I love the South and the Southern people; and though I live in the cold and frozen regions of the north, yet when summer dawns upon the South, my soul is in the first leaves of her roses; and when they send forth their fragrance, it is the poetry of my soul which God in his omnipotence has planted in my heart.

There was a mass meeting at Covington, Ind., when Dan was running against a very small fellow by the name of Wilson. I was invited by Ned Hannegan and others to address that meeting. I accepted the invitation. It was a meeting almost altogether got up for me. Such was the great vanity of Dan Voorhees, being himself a candidate for Congress, that he, on the call of but a few friends, took the stand that was intended for me, and commenced in his verbose manner. At this point Hannegan and I reached the stand. He, Hannegan, caught Dan by the sleeve and pulled him back, and said: "What in the h—l are you doing? This was a meeting got up, not for you, but for Gen. Linder." Dan wilted.

I don't relate this to the prejudice of Voorhees—neither he nor I have the qualities to make a president of the United States. It is true I should like to see Dan a Senator in Congress from Indiana, and I trust the day will come when he will reach that honor. One thing is certain, that there is not a man on earth who

charmed me more in his speeches than Dan Voorhees. He looks the orator, acts the orator, and is the orator. He is over six feet high—the finest physical form that ever rose to address an audience. To say he was an Adonis, is too mean and effeminate a phrase to express the full idea I mean to convey, for he had all the beauty and loveliness of woman combined with the strength and vigor of man. It is impossible to conceive, by those who have never heard Dan Voorhees, the force of his oratorical powers. Even Governor Reynolds has not given a full idea of the powers of oratory in his fifty-fiddle comparison of Mr. Clay, so far as the eloquence of Dan Voorhees is concerned.

Dan was many years a member of the lower House of Congress, and his speeches therein have made for him a world-wide reputation and fame; and I trust that nothing I have said will detract from his claims to a higher place. Merciful God! What are the claims or talents that shall entitle a man to the Presidency of the United States? How long are we to be governed by caucuses? When shall we cease to be controlled by them? I think I see the day coming when we shall be controlled by a venal power influenced by money, that will not only control our elections but our legislation. May God forbid such a result! The present times show the most corrupt state of things in political high places that has ever been known.

If Dan wishes to place himself on the record properly, he has got to shape his course anew. He has not got to watch where the wind blows, but he must shape his course to the point of the compass where the wind ought to blow.

Dan Voorhees is still in active life—in the practice of his profession, the law—and is sought for from every quarter to defend criminals in the most dangerous class of cases; and also to prosecute where not so employed.

Dan Voorhees has a reputation that needs nothing from my pen to spread it wider than it is already extended. He is a man so well known and so fully appreciated that it would be supererogation to say more than I have already said.

JOSIAH LAMBORN.

I DON'T know but that it would be better to put no name in these memoirs save those that have been bright and shining lights of honor and integrity, yet I feel disposed to make one exception, and that is Josiah Lamborn, who was Attorney-General of the State some eight or ten years after I filled that office. I became acquainted with him in 1836 and '37. He was attending the Supreme Court at Vandalia during that session of the legislature. He was a very remarkable man. Intellectually, I know no man of his day who was his superior. He was considered by all the lawyers who knew him as a man of the tersest logic. He could see the point in a case as clear as any lawyer I ever knew, and could elucidate it as ably, never using a word too much or one too few. He was exceedingly happy in his conceptions, and always traveled the shortest route to reach his conclusions. He was a terror to his legal opponents, especially those diffusive, wordy lawyers who had more words than arguments. I heard Judge Smith, of the Supreme Court, say that he knew of no lawyer who was his equal in strength and force of argument.

Lamborn was a native of Kentucky, born in Washington county of that state. He had received a liberal

education and graduated either at Danville or Transylvania University. He possessed high social qualities, and his conversational powers were of the very highest order, and when this is said I am sorry to say it is all I can mention in his praise. He was wholly destitute of principle, and shamelessly took bribes from criminals prosecuted under his administration. I know myself of his having dismissed forty or fifty indictments at the Shelbyville Court, and openly displayed the money he had received from defendants. He showed me a roll of bills amounting to six or eight hundred dollars, which he acknowledged he had received from them—the fruits of his maladministration of his office as Attorney-General of the State. He grew worse and worse towards the latter end of his life, and finally threw himself entirely away, consorting with gamblers and wasting his substance upon them. He gave himself up to intemperance, to the neglect of his wife and child, whom he abandoned, and finally died miserably at Whitehall, Green county, Ills.

It is painful to dwell upon a character like this; but I introduce him for the purpose of holding him up as a beacon-light and warning to the rising generation of young lawyers, hoping that Illinois will never afford another example of a man of such shining and splendid talents associated with such utter depravity. I leave him with his God, upon whose mercies we shall all have to rely in the final settlement of our accounts; and may the Lord have mercy upon his soul.

THEOPHILUS W. SMITH.

AS I have alluded to Judge Theophilus W. Smith in my last sketch, I will here introduce him to my readers. He was on the bench of the Supreme Court when I came to the State of Illinois. At the legislative session of 1836 and 1837, to which I have so often alluded, he boarded at the same private house with my wife and self, the Supreme Court being then in session. Judge Smith was a native of New York. He was a man of very ardent temperament. He came to this State I think when it was yet a territory. He was a cotemporary of old Governor Ninnian Edwards, and as far as I gathered the history of their relations, they were rivals and enemies, and had a terrible, personal rencounter on one occasion, Judge Smith drawing a pistol on Gov. Edwards; the latter snatched it out of his hand, and struck Judge Smith a blow which broke his jaw, and left upon his face a very ugly scar.

Judge Smith was esteemed by most of the lawyers who practiced in the Supreme Court at that time, as one of the most talented of the four judges who presided on that bench. He was very warmly attached to me, and I very cordially reciprocated the attachment. I had been a member of the legislature some

two or three weeks before taking any active part in its proceedings, when one night the judge asked me if I would not like to be a great man. I told him I certainly would not object to be such. "Well," said he, "I will put you on the high road to become such, if you will follow my advice and instructions." "Well," said I, let me hear them, and if I see no objections I will do so."

He then sat down and drew up a string of resolutions calling for an investigation into the affairs of the State Bank of Illinois, which he said was a most rascally institution, which resolutions required them to show how they had distributed their stock, and poking a great many uncomfortable questions at them. I introduced these resolutions, and they produced a most excited debate, which lasted for some two or three weeks. They fell like a bombshell in the House, and at the end of that debate we carried the resolutions by a large majority.

It was in that debate that I won most of my laurels in the House of Representatives at that session, and the popularity which made me Attorney-General of the State. During all this debate Judge Smith stood behind me, furnishing me with facts and arguments and keeping me thoroughly posted.

He was a most invaluable friend of mine, and stood by me in all my difficulties. Our intercourse was of the most pleasant and agreeable kind. He visited me and my family after we had removed to the city of Alton. Our friendship continued to the last day of his life.

His opinions as one of the Supreme Judges of the

State, occupy a considerable portion of Scammon's Reports, and I think will compare favorably for ability, with those of any of our Supreme Judges since the foundation of that Court.

I do not remember the year when he died, but it has been a considerable time since.

Judge Smith was the father-in-law of the late Judge Jesse B. Thomas, and grandfather to the present Rev. Jesse B. Thomas, one of the most distinguished and devout Baptist preachers in the city of Chicago. He was also father-in-law to our wealthy fellow citizen, Dr. Boone.

He was a man of eminently social qualities—devoted to his friends and bitter toward his enemies. In his early life he was a sailor, and had been in all the ports of the civilized world. Knowing that he had been a considerable ladies' man, I once asked him what nation had produced the most virtuous women. He answered without hesitation, "Ireland, sir." He gave me many interesting descriptions of the people of the different ports where he had visited. I have passed many agreeable hours in Judge Smith's society.

I have understood that General Semple courted one of his daughters, who gave him the mitten, which made him a bitter enemy of Judge Smith's for life. I will relate a little circumstance that I heard from the lawyers who practiced before Judge Smith when he was Circuit Judge. It happened at Hillsborough. Gen. Semple and another lawyer, who were trying a case in Smith's court, got into a fight; and Smith, not having much love or respect for either of them, ordered the sheriff to adjourn court for an hour, and got up

and deliberately went out of the court house, and left them fighting, Semple chasing his antagonist, John S. Greathouse, a small man, around a table. Some lawyer stepped up to Judge Smith, and asked him why he had not fined them. Smith answered that it was a case for the justice's court, and that his court did not take cognizance of so small offenders.

Judge Smith delivered the opinion of the Supreme Court in the case of Beaubien against the United States, involving the title to the old Fort Dearborn property in Chicago. The opinion was given in favor of Beaubien. It was written out at considerable length and with much ability. Beaubien had laid out the ground into town lots, and had made deeds of gift to the different children of the Judges of the Supreme Court, of a considerable number of these lots. The court then consisted of Wilson, Brown, Lockwood and Smith. Wilson and Lockwood had too much modesty to sit in the case, inasmuch as their children were interested parties, but Smith and Brown had no such scruples. The case went up to the Supreme Court of the United States, where the opinion of our State Court was reversed. I understand however that Beaubien finally compromised with the United States, and the Government gave him a handsome portion of this property.

Judge Smith was widely known to the lawyers of this State, and by most of them regarded as the most talented member of the bench. Of that, however, I have my doubts.

SAMUEL D. LOCKWOOD.

JUDGE SAMUEL D. LOCKWOOD will be the next name I shall take up. He was a member of the Supreme Court of Illinois when I came to the State, and continued to be such for many years. He had been Attorney-General prior to that time. He was a sound lawyer, a scholar, a gentleman, and an honest man. He lived to an extreme old age, and died a year or so ago at Batavia, Ill. All lawyers should feel great reverence and veneration for his name, for he was an ornament to the court and bar. He was brought up and educated in the State of New York. I met him during the civil war, when I was making speeches to raise troops to fill the ranks of our gallant volunteers. The old man seemed delighted at finding me engaged in this patriotic work.

Judge Lockwood was not an exceedingly ambitious man. He pursued the even and noiseless tenor of his way, making no enemies, but a host of friends. He was a religious man, and was respected by all who knew him. His opinions, which will be found in our earlier reports, are not lengthy, but they are pithy and to the point, and there is not one of them which is not good law at this day. No man belonging to the judiciary and bar is better entitled to a place in these

memoirs than Judge Lockwood. He is well worthy the imitation of all the younger members of the bar, for he lived and died with clean hands, and left a name and character without spot or blemish. Judge Lockwood, I bid you adieu.

EDWIN B. WEBB.

WORTHY reader, I will introduce to you a name for which I feel the profoundest respect —Edwin B. Webb, of Carmi, White county, Illinois, commonly known amongst us lawyers as "Bat. Webb." He was one of the members of the legislature in 1836 and '37.

He was a small man, but of elegant and courtly manners, rather aristocratic, being descended from a good old Virginia family. He himself was born in Fayette county, Kentucky. He was decently educated, and for our day and time was what might be called a first-class lawyer. He was a son of George Webb, who was a compeer of Henry Clay's.

There lived in Carmi during the years I practiced law in that county, a *coterie* of elegant gentlemen, with their families, composed of Judge Wilson, Col. Davidson, Sam. Ready, the Hon. John M. Robinson, Geo. Webb, and the subject of this sketch, who invariably flung open their doors to the judge and bar during our sojourn there at the various terms of the court; and they always extended to us a bright and elegant hospitality, and none of them dispensed it more cordially or made his guests more welcome than the subject of this sketch—Edwin B. Webb.

My acquaintance with him was long, and our friendship and attachment warm to the last day of his life. I hardly ever knew a man of more refined and elegant manners than my old friend, Bat. Webb.

He was at one time run for governor of this State by the Whig party, but failed to secure the election. He was the very pink of honesty and honor. I never knew him to do a mean action, or to utter a low or mean sentiment. He always came into court with his cases well prepared, and occasionally when excited he could become really eloquent, and he was always argumentative. He understood the science of pleading well, as all his brother lawyers who knew him can testify. He was always good natured, kind and gentlemanly. He was a devoted friend to Abraham Lincoln, which friendship Lincoln returned with interest. He was a staunch Whig, and had an utter detestation for demagogues.

I have understood that Bat. suffered much in his last illness. He died of what physicians call gastritis. He was not an old man at the time of his demise; was a widower, and left one child. And I wish here to say in conclusion, that no man has ever left a brighter name or more spotless reputation; no man ever died having fewer enemies or more friends.

JOHN M. ROBINSON.

THE next name which I shall introduce to the reader is that of John M. Robinson, the brother-in-law of Edwin B. Webb, the last gentleman about whom I have written. He was Senator in Congress from this State when I came here, and he served some eleven or twelve years in that capacity. My acquaintance with Mr. Robinson commenced some eight or ten years after my advent to this State. He and Mr. Webb married two sisters, the daughters of old man Radcliffe, the clerk of the Circuit Court of White county, and the proprietor of the hotel where we all stopped—a large and spacious brick house, too large indeed for a town no larger than Carmi. He was an old Kentuckian, and generally bored with a tolerably big auger.

John M. Robinson was one of the finest looking men I ever saw—over six feet high, and intellectually, and every other way, one of the noblest specimens of the *genus homo*.

He conceived a warm attachment and admiration for me at our first acquaintance, which I fully returned. No man with whom I ever became acquainted ever excited in my breast a warmer love and friendship.

After he left Congress he did not resume his prac-

tice on his old circuit, which was the one in which I practiced the greater part of my life; to which my memory now turns with a fondness equal to that of some exiled Irishman to his green and emerald isle. Although General Robinson did not resume his practice after his return home, yet he traveled around the circuit with the judge and us lawyers for the purpose of seeing his old friends whom death had not snatched away; and he resorted to a very ingenious method of getting to see them. He got the State's Attorney to have subpœnas issued and served upon them by the Sheriff to appear as witnesses before the grand jury; they came, as a matter of course, and were not a little amazed to find that their testimony was not needed, but that their old friend Robinson had brought them there, that he might once more take them by the hand and renew the recollections of past years; and none of them were offended at this, for no one ever knew General Robinson that did not love him. It was actually an interesting spectacle to see him and his old friends meet. What a glorious thing it is for a man to have lived such a life and to have so impressed himself upon his acquaintances as General Robinson had, and after many years of separation to meet them, and to be taken to their hearts and bosoms. I have actually seen his old friends shed tears of joy at meeting with him. Mrs. Robinson, his wife, a very handsome, refined and cultivated lady, literally worshiped him, as well she might.

General Robinson never went back into political life after leaving the Senate of the United States; but after the legislature of 1842 reorganized our judicial

system, increasing the number of supreme judges from four to nine, and assigning to each of them circuit court duties, the legislature elected General Robinson one of those judges, and assigned him a northern circuit, embracing Ottawa, in which to perform the duties of a circuit court judge; and it is melancholy to think that he died on his first trip around that circuit, far away from his home, wife, children and home friends, though he had the friendship and kind attention of the lawyers practicing before him on that circuit, and lacked for nothing that assiduous love and friendship could procure. New friends attended him in his illness, closed his eyes and consigned him to his last resting place, and buried him with the most distinguished honors.

John M. Robinson had some faults, but none of them would bear the name of vices, for he was as pure as the snowflakes that fall from heaven, or the pure and limpid mountain rivulet whose waters leap from rock to rock, and run dancing in the sunbeams with whispering melody, to the ocean.

General Robinson was a native of Kentucky, and James F. Robinson, a brother of his, was a most distinguished and eminent lawyer, and at one time Governor of Kentucky.

I know nothing more in reference to General Robinson that ought to be here recorded. I trust that when I am done with time and time's things, that I may meet him again in another form of existence, where pain, disease and poverty cannot reach us, and where the "weary are at rest."

Dear reader, I have gathered up the names of my early

acquaintances in Southern Illinois, as far as I now can recollect; but if there are any others that I have overlooked that deserve a place here, and their names should occur to me as I proceed with these reminiscences, I shall not fail to go back and pick them up and do full justice to their memories. Dear reader, if you think that the writing up of these recollections is a pleasant undertaking, when you are my age go to the graveyard and read from the tombstones there the names of your departed friends, and then you will know something of the feelings that I have in reviewing the past. It is true that it is pleasant to me to embalm and commemorate the virtues of my friends, but oh, how sad to reflect that they are gone, and gone forever! As Job has said: "Man that is born of a woman is of few days and full of trouble. He cometh forth like a flower, and is cut down; he fleeth also as a shadow, and continueth not." My readers will know, and I trust will appreciate, the fact that these memoirs are not written particularly to catch the eyes of the living, for most of those of whom I have written have passed away from earth forever.

WM. H. DAVIDSON.

THE next name which I propose to take up is Wm. H. Davidson, an old and departed friend, the brother to Mrs. Wilson, the wife of Chief Justice Wm. Wilson. As I have before said, he lived in Carmi. He was a Virginian by birth, and was in the legislature of 1836 and '37; a member of the Senate from the White county senatorial district, and was elected speaker of that body over John D. Whiteside, of Monroe county, Illinois, the lieutenant-governor having died or resigned.

I think that Davidson was the handsomest man I ever saw—a perfect gentleman of the old Virginia school—refined, cultivated and wealthy. He was bred to the law but became a merchant, and prospered as such. He and his excellent lady dispensed the hospitalities of their elegant home in a manner which charmed and warmed the hearts of their guests, of which hospitality I have often partaken when attending court at Carmi.

I have nothing very particular to record of Davidson except that he was widely and favorably known throughout the State of Illinois. He made a fortune in the retail business, and with a capital of some fifty thousand dollars in cash, he removed from Carmi to

Louisville, Ky., where he embarked his whole capital in the wholesale mercantile business, and after having prospered and added greatly to his fortune, he finally died there.

I have often met Colonel Davidson at Springfield, Illinois. We were warm personal friends, and I am happy to have the opportunity of speaking of his hospitality, urbanity and gentlemanly qualities in these my humble memoirs.

OLIVER L. DAVIS.

THE next name that I shall introduce will be that of a living man—Judge Oliver L. Davis, of Danville, Illinois, who is now the worthy judge in that judicial district. Judge Davis is a native of New York, but he studied law in Danville, under Judge Samuel McRoberts. I have known him for a long time. We served in the legislature together in 1846, in the House of Representatives. As I have before stated, he was associated with Lincoln and myself in the great slander suit of Fithian against Cassiday; in fact, he was the first counsel employed, and brought the suit.

He has been twice elected circuit judge. He is a profound lawyer, a prompt and most excellent judge. I have not very much to say about Judge Davis, but what little I have is good. He has built up for himself a name and fame in the Wabash country of a very creditable and enviable character.

Judge Davis is but little if any past the prime of life, and possessing a vigorous constitution and being a man of good habits, bids fair to yet live many years, and to attain to honors higher than any he has yet reached. He has the reputation of being an honest and trustworthy man and lawyer—a reputation which

he well merits. He was a candidate for Supreme Judge at one time, and defeated, which I think was unjust, believing as I do that he was a man of much higher legal attainments than his competitor.

Judge Davis has the well-deserved reputation of being a kind, warm friend, a good neighbor and a charitable man, and very kind to the younger members of the bar who practice in his court.

I have no doubt that Judge Davis deserves a much fuller notice than I have been able to give him, for the reason that I have mainly lost sight of him for some sixteen years or more; but some future chronicler will do him full justice, and fill up the meagre skeleton of mine. In conclusion I wish to say that I have the highest respect, warmest regard and utmost friendship for his Honor, Oliver L. Davis.

ADAM W. SNYDER.

READER, I shall next present to you the name of a very distinguished man. I mean Adam W. Snyder, of Belleville, Illinois. He died, I think, in the year 1842. He was the nominee of the Democratic party for Governor at the time of his death, which occurred so short a time before the election that there was not time to call another convention. So the Democratic papers, by a sort of common consent, and the Democratic Central Committee, presented the name of Thomas Ford, who was elected over Duncan, as I have before stated, by a majority of 8,313.

My acquaintance with Adam Snyder commenced in 1837, at the Belleville Circuit Court, St. Clair county, Illinois. He was a most elegant gentleman, and was the only man that ever beat old Governor Reynolds for Congress, to which position he had been elected some two or three times before I made his acquaintance at Belleville. The reader will remember that at that time I was Attorney-General of the State, and it was upon that occasion, as I have before stated, that Snyder placed under my quasi-guardianship our friend Gustavus Koerner, and if I remember now correctly, Snyder traveled with us on the circuit as far down as old Kaskaskia. Our social intercourse was of the most

intimate and delightful character. I never knew a man possessing higher colloquial and conversational powers. He was never at a loss for a word or idea. Besides being a ripe English scholar, he spoke the French and German languages with equal fluency, as he did that of his own native vernacular. From Belleville down to Kaskaskia there were a vast number of French and Germans. Snyder told me of a very amusing occurrence which took place between him and a St. Louis la er, who came over to St Clair county to try a case of the right of property. He told me that about one-half the jury were French, and nearly the other half Germans. There were perhaps two or three native Americans on the jury. He said after he had addressed the jury in the English language sufficiently, as he thought, to satisfy the Americans that were on the jury, he then for about half an hour addressed them in French, and then for another half hour in German. His opponent, who could neither speak nor understand a word of either French or German, kept all the while objecting to that mode of argument. He tried to have Snyder stopped, but he went on to the end of his speech, "and at the end of my speech," said Snyder, "he begged me to translate into English what I had said to the jury in German and French. I told him I would gladly do so, but was pressed for time, and politely declined to accommodate him. There is no need of telling you, Linder, that I beat him."

I never enjoyed a richer treat than the society and conversation of Adam Snyder. He was the nephew of old Governor Snyder, of Pennsylvania. The two

or three terms that he served in Congress after having beaten old Governor Reynolds, he gained considerable distinction by his speeches in the House of Representatives. It was through his influence in 1840–41, he being a member of the Illinois Senate, that the judicial system was revised and five additional Supreme Judges added to their number.

Had Snyder lived he certainly would have been Governor beyond all doubt, for he was decidedly the most popular Democrat in the State of Illinois.

I do not know what notice Governor Ford has taken of Adam Snyder in his history of Illinois. I would gladly devote a larger space to him in these memoirs if I was able to do so, but our personal acquaintance was of short duration, and my knowledge of him otherwise not very extensive.

I will say here that his son, the Hon. Wm. Snyder, is judge of the Circuit Court, including Belleville, St. Clair county, Illinois. He has inherited largely his father's genius and talents, and may he long live and prosper and hand down the name of Snyder to future generations.

I will now take my leave of my old friend Adam Synder.

NINIAN W. EDWARDS.

NINIAN W. EDWARDS shall have the next place in these recollections. He was the son of old Governor Ninian Edwards, to whom I have already alluded in writing of my old friend Wm. Kinney, of Belleville, Illinois. Ninian W. Edwards the younger, was the brother-in-law of our late lamented and departed President of the United States, Abraham Lincoln, each of whom married a Miss Todd, sisters, who belonged to one of the first families of Kentucky.

He was one of the members of the lower House of the Illinois Legislature of 1836 and 1837, to which I have so often referred. He was from Sangamon county, and was one of those called the "long nine," Sangamon having nine representatives in that body, not one of whom but was over six feet in height. Ninian was a man of very respectable abilities, and was well posted in parliamentary law. His manners and deportment were not calculated to win friends amongst his equals and superiors, and of the latter class there were many in that body. While he was not a bad man, and I should say rather an honest, good man, yet he had inherited from his father so much vanity and egotism, that it made him offensive to most of his acquaintances. He was never partial to me, but

I have always thought he was envious of me; and to be candid and frank, I wish my readers to understand I was never very fond of him.

He has filled several very respectable offices in the State of Illinois, particularly in our educational department, and I have never heard anything of him in reference to the discharge of his official duties that would tend to impugn his honor or honesty. I have given him a place here because he was a member of that old legislative body at Vandalia in 1836 and 1837, of which Lincoln, Douglas, Archie Williams, Gen. Shields, and a host of other men who have climbed to the topmost round in the ladder of fame, were members, of which body I was one of the humblest.

I have had another reason for giving him a place in these memoirs. He was connected by consanguinity with families that I admired and loved—the Popes and the Helms. Perhaps no man in America surpassed his father in genius and talents. He was at one time, as I have said before, I believe, Chief Justice of the Court of Appeals of Kentucky, and some of his opinions, to be found in the earlier reports of Hardin and Bibb, will compare favorably with the opinions of Mansfield and Holt of England.

Ninian W. Edwards the younger was naturally and constitutionally an aristocrat, and he hated democracy when I first knew him, as the devil is said to hate holy water. He was then a flaming protectionist, and for a high tariff, but finally became a free-trade man, and published a good many articles in the papers in favor of free-trade.

At the time of this revolution in his political senti-

ments, the democratic and low tariff men were largely in the ascendancy, and I have always thought that Ninian had fixed his longing eyes upon some high and lucrative position in the National Government that would compensate him for all his failures while he had been a Whig and high tariff man. In this I may have done him injustice. Men have changed their politics time and again from the highest down to the lowest stations. Mr. Clay in 1811 was an anti-bank man, and at that time made the finest speech of his life against a National bank. He contended that the Constitution of the United States conferred no power upon Congress to charter such an institution; but in 1816 Mr. Clay changed his opinions, and supported a law chartering a bank of the United States. Mr. Webster, who opposed a protective tariff in 1824, finally became the great champion of protection. I admit that I, myself, an original Democrat, changed my political views in 1838 or '9, and became a Whig, and remained so until that party was merged in the Abolition party of the North. I accord to my friend Ninian W. Edwards all the rights and privileges I claim for myself, and I now take my leave of him; and as he is still living, if these pages should meet his eye, I wish him not to suppose that I have any malice in my heart against him.

CHARLES H. CONSTABLE.

THE next name that I propose to present to my readers is not a man of southern, but I might say of middle Illinois; I mean the late Judge Charles H. Constable, of Clark county, Illinois. I have already alluded to him in the sketch of Judge Anthony Thornton, of Shelbyville, Illinois. I think it was in 1839 or '40, I became acquainted with him and Anthony Thornton. It may have been later, but I am drawing entirely upon my memory—having never kept a diary or journal, my readers must pardon an old man of the age of 67 years for any inaccuracy of dates.

Mr. Constable was a native of Maryland. He came to Illinois when quite a young man, and as I have before said, was one of the handsomest men I ever saw. I do not think he was a man of the most pre-eminent abilities, as very handsome or pretty men hardly ever are, but he was a man of fine culture and elegant manners, and was very popular in the localities where he lived; his popularity, however, never extending to the limits of a Congressional District.

He was really a good lawyer, both at common law and in equity, and prepared his cases with great care and accuracy. He wrote a most beautiful and legible hand, was a good pleader, and after I left my old

circuit, he was elevated to the office of circuit judge.

I came to Chicago in 1860, and had occasion to go down to the Edgar Circuit Court after Constable had been elected as judge of that circuit. I there met my old friend Anthony Thornton, and I asked him what kind of a judge Mr. Constable made. "Sir," said he, "he is the finest circuit court judge I think I ever saw; makes up most of his records himself, not trusting his clerks to do so."

He departed this life some years ago, and the manner of that departure I shall not dwell upon. It was sad, but not dishonorable; and I do not believe that he left a single stain, blemish or blot upon his reputation; and I now bid farewell to his memory.

JOHN BAIRD.

I SHALL now go back to Terre Haute and pick up the name of a lawyer who is almost as much of an Illinoisan as an Indianian—it is Colonel John Baird. I knew him when a student at law. He is now about forty-eight years of age, and was born, I think, in Vigo county, Indiana. He is unquestionably one of the finest lawyers in that State. He has practiced in Illinois nearly as much as he has in his native State, particularly in the counties of Clark, Edgar, Coles and Vermillion. He has also practiced extensively in Indiana, and particularly in the Supreme and Federal Courts of that State. I have often been associated with him in important cases in the Terre Haute Circuit Court, and I never had a more pleasant and able associate.

He enlisted in the civil war and was elected Colonel of one of the Indiana regiments. He was taken prisoner at a very early period of the war and was confined in Libby prison, Richmond, Va. All the reports that we had of him while in the service, spoke of him as one of the "bravest of the brave," and if he had any fault it was being too rash and desperate. He was one of our most knightly colonels, and won unfading laurels in some of the bloodiest engagements

of the civil war. He was finally exchanged, came home and did not again return to the war; and from that time to this has continued to practice his profession with great success, in partnership with General Charles Krum, another one of our brave and gallant Northern soldiers.

I have nothing more particular to say of Colonel John Baird, but I could not omit him from these memoirs without doing great injustice to my own feelings, our acquaintance and friendship having been of long standing and of the most intimate character. He was as generous as a prince, and there was not a particle of avarice or meanness in his composition, of which I have more than once received the most substantial proofs. He would divide his last dollar with a friend, and was benevolent and charitable almost to a fault, being sometimes too indiscriminate in the objects thereof. No needy man or woman was ever sent away empty from his door; and whatever may be the Colonel's faults, they are greatly overbalanced by his virtues, and I sincerely wish that our profession and the world had more such men. I know of but one man with whom to compare him as a lawyer, and that is our own Judge John Scholfield, of Illinois, of whom I have heretofore spoken in these memoirs. He deserves a larger space here than I am able to give him at this time, but some future chronicler will supply what I have left out, and do to the Colonel that complete justice to which he is entitled.

JOSEPH G. BOWMAN.

I WILL now introduce the name of an old lawyer friend whose name was Joseph G. Bowman. I became acquainted with him on my first or second trip around my Wabash circuit at Mt. Carmel, where he then resided and practiced his profession. He was a partner at that time and for some time subsequent with Col. O. B. Ficklin. I knew him after he removed to Lawrenceville, in this State, and my acquaintance with him is of many years' standing. I met him at every court in Lawrenceville, which I attended regularly twice a year. He finally purchased the old Dubois farm, situated a little above Vincennes, and on the Illinois side of the Wabash River, on a beautiful eminence overlooking that old town and lovely stream. He afterwards removed to Vincennes, Indiana, where he finally came to his death by his own hand in a most melancholy and tragic manner. He had been afflicted for many years with rheumatism, and suffered more perhaps than any man that ever had that terrible and painful disease. He had resorted to every means that eminent physicians could prescribe, and had taken all their nostrums, with little or no alleviation from the torture and pain he suffered. To obtain relief from this terrible infliction he resorted to morphine, and acquired thereby that miserable habit

from which but few have ever been able to escape; but I have seen it from under his own hand that he was cured of that habit by a Mr. Collins of LaPorte, Indiana; but it seems his rheumatic pains never left him, but grew worse and worse, until he could endure them no longer; and one Sabbath day, while he and his wife and another lady were sitting at dinner, at his own table, he deliberately retired into the kitchen, without their suspecting what he intended, but they presently heard him fall and groan. They instantly arose and went to him, and found him dead on the floor, with a butcher-knife piercing his left side just above the lower rib, which had gone straight home to his heart; and it was so tightly wedged between his two ribs that the two ladies could not withdraw it. There was but one way possible by which he could have done the deed, and that was by placing the point of the sharp knife at the place he supposed opposite to his heart, and standing close to the wall with the handle of the knife against it, pressing with all his weight upon it until it entered and reached the center and source of life. These latter particulars I obtained from a relative of his wife, Mr. James Roberts, an eminent and distinguished lawyer of Chicago, Illinois.

Mr. Bowman was something of a politician and writer. He was a native of Virginia, and had received a liberal and classical education. His conversational powers were of a quiet but most agreeable and instructive character. It is due to him and his most excellent lady, that I should here say, that they were two of the most hospitable people I ever knew, and they never failed during the terms of the Lawrenceville

court to have the court and bar at their elegant mansion, to partake of their sumptuous dinners and suppers; and on such occasions he and she dispensed their hospitality in a way that now warms my heart and makes my mouth water to think of. I ought to here say that Mrs. Bowman was a woman of high culture and refinement, and had been liberally educated, and her conversational powers were hardly inferior to those of my friend Joe.

At these times to which I now allude, Joe was not suffering from rheumatism, having been visited therewith at a later period of life; consequently, there was nothing to interfere with his social and convivial qualities, and never have I enjoyed more pleasure than to sit and hear him, in his quiet way, pour out from the rich stores of his memory historical anecdotes that were not common-place or stale, but always a little out of the reach of ordinary readers and students. I have often thought that his colloquial powers were not much inferior to those which Macauley is said to have possessed. He had a splendid library, both legal and miscellaneous, and his books were not kept for mere show in his book-case. He was familiar with all literature, and had trodden all the higher walks thereof.

He was two or three times a member of the Illinois Legislature during a portion of his life. Some six or eight years before his death he had lived in Vincennes, Indiana, where he practiced his profession, and was, as I have understood, at one time Judge of one of their courts of record, but whether it was the Circuit Court or Court of Common Pleas I do not now remember.

While Bowman lived at Mt. Carmel he edited a local paper there, and he did it exceedingly well. I have seen some rich things from his pen written in the style and imitation of Bible Chronicles, over which I have had many a hearty laugh. He could crack a rich joke and tell a fine story, in which he was not surpassed even by Mr. Lincoln himself.

He was a staunch Whig, and belonged to that party from its original organization to its final demise. He used while editing his paper to aim some of his good humored shafts at me. I remember in one of his Chronicles he took a fling at my old friend Zadock Casey and myself, in which he respectively called us "Usher the mighty" and "Zadock the high priest." He represented us in Bible language as calling all the tribes of Israel together, and after having given our speeches he added: "And all the people cried aloud, Amen!" It was impossible to take offense at Joe's humorous Chronicles and laughable epigrams.

Aye, dear reader, it is with pleasure that I go back in memory to my acquaintance with Joe Bowman, and with sorrow and sadness contemplate his melancholy end. He was my devoted personal friend all the years of our acquaintance, and as I have said in my sketch of Colonel Baird, of that friendship I have had many substantial proofs, which if I did not remember I would be dead to all the instincts and sensibilities of an honorable man, and I never shall forget them while life lasts and memory endures.

I will here take leave of my friend Bowman, trusting that we shall meet again in a higher and nobler sphere of existence.

JOHN P. USHER.

I WILL now present to my readers the name of John P. Usher, late of Terre Haute, Indiana, but now of Leavenworth, Kansas. I knew him from the time he first settled in Terre Haute. He has a history somewhat like that of our distinguished statesman, the late Abraham Lincoln, a portion of which I gathered from his own mouth. He is a native of the State of New York. He was born in the cold, wet, hemlock region of that State. His father was a very poor man, and when John P. was but a very small boy he hired him out to a neighbor of his for three dollars a month. He told me that the first work he was set to doing was carrying sugar-water, to be boiled down and made into maple sugar. His employer had a large sugar orchard, and Usher told me that his employer worked him nearly to death, and in a short time he ran away from him and went home. His father he said abused him on his return, and told him he would never be good for anything in the world. Usher told his father he would show him one of these days that there was more "come-out" in him than he supposed. He went to school awhile, and receiving a common English education, finally, at the age of nineteen or twenty, studied law, and perhaps

practiced a while in his native State, but ultimately removed to the western country, and settled in Terre Haute, Ind., where he practiced his profession with great success, acquiring thereby a very handsome property, when he married a Miss Patterson, the daughter of old Captain Patterson, a Scotchman. She is the sister of Judge Chambers Patterson, the present presiding judge of the Circuit Court, including the county of Vigo.

John P. Usher is a man of no ordinary talent. I knew him personally and well. He practiced in our courts and I in his. We were frequently pitted against each other in important causes.

When Mr. Lincoln got to be President, he nominated Caleb B. Smith his Secretary of the Interior, but after Smith's death he gave the office to John P. Usher, having taken a very active and potential part in Mr. Lincoln's nomination. Mr. Lincoln had known him long and well; and it has been said that John P. Usher made a very able Secretary of the Interior.

When I first knew Usher he was a very handsome man, possessed of fine form and features, but after passing the age of forty he had grown quite corpulent, though he was still by no means a homely man. I know of but few better lawyers than John P. Usher. I have been told upon good authority, that he is worth several million dollars, most of which he acquired while Secretary of the Interior by entering large bodies of choice land along the line of the Union Pacific Railroad, besides which he owns a large amount of stock in that company. I am not sure but what at one time he was president of that road, though I can-

not speak of that with any degree of certainty, but I know that he filled some important office in that company.

I do not know that I should have introduced the name of John P. Usher into these memoirs, had it not been for his having filled so important a place in Mr. Lincoln's administration, and also from the knowledge on my part that he was very highly esteemed by Mr. Lincoln, and enjoyed his confidence in a very high degree.

I have not written this work for the purpose of unjustly extolling the memory of the dead or flattering the living. I will therefore say, lest what I have written of John P. Usher might be misconstrued, that he was no particular favorite of mine. I always esteemed him a grasping, avaricious man, whose whole soul was absorbed in the acquisition of money and property, and if he was very scrupulous in the manner of their acquisition, I have never heard any one charge it as an offense against him. I want my readers however to understand that at this time I cherish no unkind feelings toward Mr. Usher, though there have been times in our lives when the personal and professional relations between us were none of the most pleasant or friendly. He has money and property enough to buy his way through this world, and cares but precious little for my friendship or that of any one else. I here take my leave of John P. Usher.

RICHARD W. THOMPSON.

I SHALL now introduce the name of a man that pleases me much better than the one I have last written of. It is the name of Colonel Richard W. Thompson, of Terre Haute, Indiana, an old lawyer of considerable distinction, and who was for many years a Representative in Congress from the Wabash district in Indiana. Colonel Thompson is a man of National as well as State fame. While a member of Congress he made many speeches and reports which brought him to the favorable notice of the press and the politicians. He was always a Whig, and in the administrations of the various Whig Presidents, from General Harrison up to General Taylor, he took a prominent and distinguished part. While Colonel Thompson was a member of Congress, or since his retirement from that body, he successfully engineered the claim of one of our Western Indian tribes through Congress or the Court of Claims, for which this tribe created him the chief of their nation, and he is to-day, though not living with his tribe, one of the grand sachems or chiefs of an Indian nation.

Col. Thompson is to-day one of the oldest and most distinguished living lawyers of Indiana. He rode the circuit with such men as Dewey, Sam Judah, John Law, and others. I have listened for hours with the

most exquisite delight to the narrations by Col. Thompson of the incidents that occurred on his old circuit. His associates at the bar were men of rare endowments, and their stories and jokes, given me by Col. Thompson, have convulsed me with laughter to the splitting of my sides. I am sorry that I cannot recall some of them with which to brighten, adorn and enliven these pages—such as would bear telling and not be offensive to my delicate and modest readers, for it must be confessed that, like some of Lincoln's stories, the jokes and repartees of our old lawyers will hardly bear reading in a lady's parlor.

It is due to Colonel Thompson that I should say here that although a Southern man, having been born in the State of Virginia, he was a patriot in our civil war, and took an active part on the Union side. Mr. Lincoln created him a recruiting agent or officer at Terre Haute for that military district, which office he filled to the satisfaction of Mr. Lincoln and the country at large. Col. Thompson is now, as I understand, the lawyer of one or two railroads in Indiana and Illinois, and has a very handsome salary, and in the discharge of his duty to his clients, he shows as much activity, industry and zeal as such members of the profession do towards their clients.

Colonel Thompson is now not far, if any, from seventy years of age. I have often met and contended with Colonel Thompson at the Terre Haute bar, and have also met him in my own State courts, and I really think a finer advocate I never heard in my life. He possessed a fluency and flow of language which falls to the share of but few men in this world. He

possessed a very fine voice, and was capable at all times of rising to the very highest pitch of oratory. He is a man of irreproachable character, and as a lawyer and a statesman does not fall below any man in the Northwest. He and I have always been warm personal friends. The last time I saw him was just after the last Presidential election, on my return from Alton through Terre Haute, to my home in Chicago, when and where I had a long and agreeable conversation with the Colonel at the office of my two friends, Colonel John Baird and General Charles Krum, those two gentlemen being present and participating therein. I remember distinctly it was upon that occasion that Col. Baird said, addressing himself to Colonel Thompson and myself, "Colonel Thompson, you and General Linder are the only two men now living that I know of capable of writing a respectable history of the Indiana and Illinois bar, and you ought jointly to do so, before Time snatches you both away, when the facts which you possess will die with you, and there will be none left to perform that work." I little thought at that time that I would be now engaged in the Herculean labors into which I have embarked.

I want to say, before I leave the name of Colonel Thompson, that he wrote a good many political theses, which were published, if I remember correctly, in the *National Intelligencer* at Washington City.

Colonel Thompson's name is almost a household word in Indiana and Eastern Illinois. The only thing that I regret upon this occasion is that I cannot do more than half justice to the name, fame and public services of Colonel Thompson. Did I possess the

materials to do so, a sketch of his life alone would make a book larger than these memoirs, but I have had to draw from my memory, not particularly charged with such; I must forego the pleasure it would give me to adorn these pages with a further and fuller notice of a man whose name is bound to fill a very large space in history.

In taking leave of Colonel Thompson's name, I wish to say to my readers that I do not wish them to judge of him alone from this meagre notice.

Colonel Thompson is a small man, that is to say, considering him in an avoirdupois sense, but in height I would say a little above the medium altitude. He is a man of a very amiable and agreeable expression of countenance. He is not one of that class of men who repels you; he is eminently social and agreeable. He is a man of excellent habits, and a member of the Methodist church, but he is no bigot, and far from being intolerant in his religious notions. He has the reputation of being a man of great charity and benevolence, to which I think, from what I know of him, he is well entitled. I have understood from those who know him better than I do, that he is one of the kindest of husbands and fathers and one of the best of neighbors. I am sorry to part with him. It is exceedingly pleasent to me to dwell upon such a character. I have had his bright, genial and beaming countenance before me all the time I have been writing about him, but I am compelled now to say, Col. Dick, for the present I bid you farewell.

SAMUEL JUDAH.

I WILL introduce another name from Indiana. He has gone to the land of spirits. It is the name of Samuel Judah, of Vincennes, Indiana. He was one of the oldest lawyers with whom I was personally acquainted in the State of Indiana. I don't know where he was born, but I know that his father was a Jew, and that he himself was a Jew. He was living at Vincennes, and had been for a long time previous to the time I came through there, removing from my native State, Kentucky, to Illinois. This was, as I have often stated before, in the summer of 1835. At that time Vincennes was a dilapidated, rusty looking town. It is now a flourishing city, the focus of several important railroads, and at one time, was the home of General Wm. Henry Harrison.

The first time that I saw Sam Judah was in 1836 or '7, at Lawrenceville, on my first trip around my circuit. It is situated nine miles west of Vincennes, on what was then called the old Vincennes and St. Louis trail. He was there in attendance on the Circuit Court, Judge Justin Harlan presiding. He was a man below the medium height, rather bent and bowed in form. He had a perfect Jewish face, with a sort of hawk-bill nose, the lower point of which looked like it was going to jump down his throat and leave him

without that facial appendage. No man to look at him would for a moment have taken him to be the man of talent that he really was. As a land lawyer I don't know that I ever knew his equal. At this term of the Lawrenceville court nothing occurred in reference to Sam Judah worthy of being here recorded; but I afterwards met him at that court at every term thereof, and he seemed to have contracted a hatred and particular dislike for me, which was most cordially returned on my part, and that with compound interest and usury. He had no relish for any man who spoke well, he himself, although a good lawyer, being a dry and indifferent speaker, with a voice which reminded me of the squealing of a pig more than the voice of man. It certainly did not come up to the music of a dog "that bays deep-mouthed welcome as we draw near home," which Byron says is one of the things sweet to hear.

Judah had some peculiarities in character and temperament. One was that he would cry like a whipped child when attacked in court or the legislature by an opponent who could castigate and paint him as he deserved. On one occasion in Lawrenceville, he was engaged in a slander suit. After he had made the last speech and court adjourned for dinner, as we were going thereto, some of the lawyers, knowing my dislike for Judah, asked me what I thought of his speech. "Oh," said I, "it was very good; but it put me in a paroxysm of pain, for it reminded me more of the squealing of a pig that somebody was screwing by the tail than the voice of a mortal man." He turned to me and said in a whimpering half-cry, "D—n you,

I'll pay you for that remark one of these days." After we had taken dinner and returned to court, the jury were ready to deliver their verdict. Judah was on tip-toe to hear it; and when it was delivered, it appeared they had found a verdict of five hundred dollars in damages in favor of Judah's client.

That was a big verdict in those days and in that locality. Judah was almost ready to burst with exultation. I was sitting close by him, and he turned to me with a triumphant and sneering look and said: "Wasn't that pretty good squealing, d—n you?" which was heard by everybody present, when the judge, bar and myself burst out into the most obstreperous laughter.

Judah was a very vain man. On one occasion, when I was at Vincennes, some of my friends there asked me if Judah had taken me to see his portrait. I told them that he had not. "Well," said they, "he will be sure to do so, for he takes everybody, both friend and foe, to see it. It has but recently been painted, and is still at the artist's."

In a short time I met with Judah, and after shaking hands with him, he seeming more friendly than usual, invited me to go with him and look at his portrait, saying that he wished to know my opinion, whether or not it was a good one. I went with him to the artist's studio, and he asked the artist to show it to me. It was standing against the wall with the painted side towards it. The artist went and turned it round with the face towards us, the top of the picture leaning against the wall. He had scarcely done so when a great big, shaggy, ill-favored cur dog came rushing through the door, which Judah and I had left ajar, and

went straight for the picture, and before we could stop him he was in front of the portrait and with one hind leg hoisted did what the reader may imagine without my naming it in so many words. Judah went for him with a vengeance, screaming and squealing and crying at the top of his voice: "*Get out! get out! get out!* You d—d son of a bitch." "Sir," said I, turning to the artist, "you have just had the finest compliment paid to your skill that was ever bestowed upon mortal man, for the very dogs recognize the exact resemblance of your picture to Mr. Judah; otherwise his dogship, which has just left us, would not have baptized it in the manner he did."

"Why, sir," said the painter, "you certainly don't mean to say that the dogs are in the habit of treating the original as that impudent fellow just treated his picture?"

"Oh, no," said I, "by no means," speaking in an ironical tone.

"Oh, yes you do, d——n you," said Judah; "and I am sorry I brought you to look at it;" and he actually cried like a child, and the tears ran down his cheeks. I was sorry for what I had said, for it was really not said in malice, but to have a little fun and sport with Judah. I begged his pardon, took him by the arm and led him off to my hotel, where we soon washed down the remembrance of what I had said, and what the dog had done to his portrait. But the story soon got out, and every wag and wit rang the changes upon it from Lawrenceville to Vincennes, and from Vincennes to Terre Haute.

Judah was once speaker of the House of Represent-

atives in the legislature of Indiana, and I have understood, made a very good one. He has been dead several years. He died at a very advanced age.

I have bestowed enough space on Samuel Judah, and although, as I have said, I was not partial or fond of the man, yet I did respect his talents, and I now revere his memory as one of the greatest lawyers in the Northwest.

JOHN M. WILSON.

SOME of my friends have advised me to say nothing in these memoirs of the living men or lawyers in Chicago, and assigned the following reason why I should not do so: That inasmuch as I could not put them all in my book, those who would be left out would be greatly incensed and offended, and would attack the work and make it unpopular. I have reflected deeply upon this subject, and have come to the conclusion that in this instance I shall depart from the advice of my friends. If I have any weakness more than another, it is that of sacrificing my own opinions to those of my friends. I do not feel that it is right to wait until a man dies before he receives the justice and the full measure of applause to which he is entitled. Most of the men whom I intend to introduce bid fair to outlive me many years, and when I am dead and gone, where shall be found so luminous a pen as mine to make up their record and emblazon the pages of history with their virtues! Therefore I have resolved to write them up so far as the materials in my possession will enable me to do so; and the first name I shall introduce and present to my readers and posterity, if this humble work should travel so far, is that of our respected, eminent, talented and learned

fellow-citizen, John M. Wilson, who was late one of our judges of the Superior Court of Cook county.

He was on the bench when I came to Chicago in 1860. Judge Wilson is a native of one of the New England States, and as he has informed me, when he graduated and left college he was in low and feeble health, and was advised by his physicians to go to a warmer climate; and they also advised him not to travel by the then most usual mode of conveyance—the old lumbering four-horse stage—but to travel on foot; which he did, walking, as his strength would permit, from New England to Georgia, where he taught school, initiating the sons of wealthy gentlemen and planters into the secrets and beauties of classical literature, making them familiar with Homer, Horace, Virgil and Cæsar, thus preparing them to enter college. He taught there for several years, and he has told me himself, that although when he went there he was greatly prejudiced against slavery and slave-holders, he was never treated with greater kindness and hospitality than that which he received from Southern gentlemen and their families.

With his health perfectly restored, he returned to New England, studied law, and after the completion of his studies, came to the West and located himself at Joliet. He was a ripe scholar and an excellent lawyer, and from the very first took his place at the head of the bar, and from that day until the end of his legal career he stood in the front ranks of his profession.

During his residence in Joliet he formed a legal partnership with Elisha Fellows, an eminent lawyer

of that place, still living; and it was during this period that Miller, the great apostle of the Second Advent of the Savior announced to the world that on a certain day in the year 1843, I think it was, the Lord would make his appearance, and receive his saints up in the sky, at which time the wicked and their works were to be burnt up. This he proved to the perfect satisfaction of all his followers, from the prophecy of Daniel, to which absurd doctrine millions became converts, and amongst them my friends Judge John M. Wilson and Elisha Fellows.

I have never been more amused than I was from the humorous account which Fellows gave me of his and John M. Wilson's conversion. He said they dropped all their professional business, and went from school house to school house, preaching the second advent of the Savior, "and let me tell you, sir," said he, "I have had my soul perfectly thrilled and set on fire by the preaching of John M. Wilson. Why, sir," said he, "he would take up those old prophecies and demonstrate the re-appearance of the Savior, and make it as clear to me as a proposition in Euclid. I was greatly disgusted," said Fellows, "with some of my infidel friends and neighbors, who discredited our theology, when so near the end of the world, and who proceeded with their ordinary avocations, marrying and giving in marriage, and hoarding up their sordid gains, as though they were going to live forever. One day I was riding along where some of my acquaintances were building a new log house. I reined up my horse and addressed them in solemn tones as follows: 'Fellow-men, dying mortals and sinners, are

you crazy, to be building a house that in six days from now will be nothing but a heap of livid coals?' and don't you think, sir, they actually laughed at me?"

He told me further that he and John M. actually supported and fed about twenty of their poor converts who lived close around them, for several months. Said he to me, "some mischievous young lawyers who lived in Joliet, that disbelieved in our theology, one day proposed to me to buy my law library (I had a very fine one). This rather took me aback for a second, but I soon recovered and said to the young men, 'You have no need of law books; they will soon be burnt up; besides, this is no time for trading, but for singing psalms and hymns, praising God and meeting your Lord in the skies. Let me admonish you to prepare yourselves for his advent.' Would you believe it? the wicked fellows laughed at me, and said to me, 'Mr. Fellows, we will take the risk, and if you do not want to sell us the books, we will accept them as a present.' From this horn of the dilemma I could only escape by saying to them, in a solemn nasal and Puritanical tone, 'My young friends, I perceive that you are in the gall of bitterness and bonds of iniquity; may the Holy Spirit awaken you from the sad delusion, apathy and indifference into which you have fallen. Say no more to me about books, for I shall have nothing more to do with worldly affairs, for during the short time I have I shall use in making preparation to meet my blessed Lord in the skies.' The young rascals laughed and left me."

"Well," said I, "'Lish, how did the matter end when the day came around appointed for the second advent?"

"Well," said he, "John and I dressed in our ascension robes, went upon the house-top, with our hymn-books in our hands, where we sang songs of praise from morn till night."*

"Well," said I, "Fellows, when he didn't come, what did you think?"

"I thought," said he "there had been a collision of the trains on the heavenly railroad, but we felt sure that after the damage was repaired, he would make his appearance on the next train coming down."

John M. Wilson, although he fell into this delusion, is a truly devout and religious man. One day as we were conversing on the streets of Chicago together, a Jew passed us, and he said to me: "There goes a Jew, and I wish to say to you that I feel a great veneration and respect for those people, for they kept for thousands of years, unmutilated, the Old Testament Scriptures, and a Jewess was the mother of our Savior, and to-day they are a living monument of divine love, and a fulfillment of holy prophecy. I will not and cannot persecute those people."

In Judge Wilson's religious notions, he is extremely liberal and tolerant, although brought up and educated in the most rigid school of the Puritans.

My acquaintance with him commenced in 1860, shortly after I came to Chicago. He was then on the bench, as I believe I have before said. Before he was elected the last time to the judgeship, my Democratic

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*Judge Wilson, to whom we read the above sketch, says this paragraph which states that he put on his "ascension robes and went upon the house-top," is an exaggeration and not true; and that he then construed those passages of the prophecies relating to the time of the second coming of our Savior literally. He now construes them figuratively.—PUBLISHER.

friends made a combined and powerful effort to defeat him, in which effort I did not unite or participate. It was during the war, and by an arrangement of both parties, a convention was called for the purpose of forming a union ticket without reference to party politics. I was elected as one of the delegates to that convention. My friendship and preference for Judge Wilson were well known. I was also a friend of Charles B. Farwell, who was running for clerk of the county court. The preference I had for Wilson I had made known to Farwell and his friends, yet when the convention met, and the Democrats set up the name of Henry G. Miller, a good lawyer and very clever man, I discovered that some of Mr. Farwell's friends, and not a few, had sold out for his benefit to the friends of Mr. Miller. I did all that was in my power to defeat Miller's nomination, and I remember, in a speech I made eulogistic of John M. Wilson, after recounting his public service and his pure administration of justice while he had sat upon the bench, pointing over to the corner of the house where Judge Wilson was sitting, I said: "Will you turn this old and faithful horse, after he has worked in the public wagon for years, out to feed upon short commons? Shall he be displaced for a new and a younger man? Shall we cut down the glorious mountain oak that has resisted a thousand storms? No! 'Woodman spare that tree, touch not a single bough.'"

Notwithstanding all my efforts, however, John M. Wilson was defeated in the convention, and Henry G. Miller received the nomination; but the whole ticket nominated by this convention was defeated.

There was such great dissatisfaction at the nominations made that an independent ticket was immediately formed, at the head of which was placed the name of John M. Wilson, and I remember very distinctly that he was elected over his opponent, Henry G. Miller, by a majority of over three thousand votes. He served out his time on the bench and retired with great honor and distinction, and the love and respect of all the able and worthy members of the bar followed him into his retirement.

It is a great pleasure to me to say that I have enjoyed the esteem and friendship of such an able lawyer and Judge as John M. Wilson from the hour of our first acquaintance to the present time. It is equally pleasant to me to state that in leaving the bench he falls back upon a handsome private fortune. He has only two children, a son and a daughter, the former of whom I understand is a very promising young man.

If I have not already stated it so as to impress it indelibly on the minds of my readers, I wish to say now that I never met any lawyer in Northern Illinois who in legal learning and the powers of analysis was the equal of Judge Wilson. He was never verbose, and his decisions were short, strong and to the point. He is a man of the kindest and tenderest heart. I remember distinctly at the time when Douglas died (although they never agreed in politics), I never looked upon so sorrowful a face as his. He looked like a man whose heart was breaking, and I noticed the tears frequently gush from his eyes and roll down his cheeks.

He is a man of large benevolence, and the only thing for which I am sorry is that I do not possess the mate-

rials, which are undoubtedly in existence if I had them, to give him a larger space in these memoirs.

I hope and anticipate that this notice of him will reach his eyes ere he leaves his earthly home for that better one beyond the dark river; and I want to say to him that it makes my heart glad to think I have so good and bright a character as his with which to adorn these pages. I do not intend to say here that John M. Wilson is the only good and pure man in the world, but if there is a better and purer one it has not fallen to my lot to meet him. It was generally understood by all the lawyers while he was on the bench that he was not only the ablest of our judges, but that he was honest and unapproachable. Corruption and bribery never dared to show themselves in his presence. He left the bench with clean hands and a pure heart, and when he leaves this earth he will leave a name spotless and undefiled. Slander has never dared to breathe the slightest reproach against him, or fix one spot or blemish upon his reputation as a man, a judge or a lawyer. I now take my leave of John M. Wilson, and hand him over to posterity as one of the purest and brightest ornaments of the bench and bar.

ROBERT S. BLACKWELL.

THE next name I shall introduce is that of Robert S. Blackwell, late of Chicago, who died some seven or eight years ago. He was a native of the State of Illinois, and I will state here that all the natives of this State whom I have known, or nearly all, were men and women of genius and talent, and Robert S. Blackwell was not second to any of them. He was the son of David Blackwell, a learned and eminent lawyer who lived at Belleville. He left a wife and some three or four children, amongst whom was a boy older than "Bob," but Bob being the brightest of all of them, his mother put her affairs into his hands, and gave him charge of the children. He bound his older brother to a trade, and he himself studied law with O. H. Browning of Quincy; and after he was admitted to the bar, became a partner of Mr. Minshall, a learned and respectable lawyer of Rushville, Ill., which partnership continued for a good many years, and until Bob married; had several children born to him, and removed to the city of Chicago.

Shortly after his arrival at that place he formed a legal partnership with Corydon Beckwith, now one of the most distinguished lawyers living in the city of

Chicago, where Bob continued to live and practice his profession with great distinction and success until the day of his death.

Bob was at home in nearly every department of the law, but more especially in land cases and tax titles, upon the latter of which he wrote a most able work entitled "Blackwell on Tax Titles," which can be found in the library of every respectable lawyer in the United States. At the time of its appearance it was received by the bench and bar, and all the legal reviews, with universal approbation. If Bob had never said nor written anything else, this work alone would have secured him an immortality with the whole legal profession. He had commenced another work before his death, entitled an "Abstract of the Decisions of the Supreme Court of Illinois," which run to the third or fourth volume, when poor Bob died and left it uncompleted.

I am inclined to think that my first recollections of Bob go back to 1837, at Vandalia, when he was a small lad living with his uncle, Robert S. Blackwell, after whom he was named. This was during that notable session of the legislature of Illinois, and from which has sprung some of the brightest and most glorious names that blaze and sparkle on the pages of American History. These names are to be found in the category of presidents, senators and generals who have made respectable our civil, diplomatic and military history. When shall another Lincoln and Douglas make their appearance? When shall another Democratic administration make its appearance which shall add to our country another New Mexico and California?

Worthy reader, such eras and men are like angels' visits, "few and far between." How can we ever do full justice to that old and noble Democratic party which drew the rusty sword from its scabbard, and cut our way up to the Golden Gate of the Pacific ocean? And yet to-day we have a miserable set of penny-a-liners maligning that glorious old party, and treating it as effete, defunct and fossil. I might name some of them, editors and others, but to do so would give them a place in this respectable history of mine, and give them an immortality that I do not propose to confer upon them. *They* may treat the Democratic party as effete and dead; but permit me to say to you, dear reader, it is not dead, but has only been sleeping; and ere long it will rise from its slumbers, and like a giant refreshed by sleep, will shake the earth with its thunders and rebukes to the party that has so long abused the confidence and trust reposed in them by the people.

Bob Blackwell died a Democrat, although he was an original Whig.

He was a man of eminent social qualities. The only fault Bob had was that he would not let anybody but himself talk when he had the floor, and the truth is, but few wanted to do so, for no man could entertain a crowd better than Bob. He was the finest mimic I ever knew, not only in speech, but in gesture also. I have seen him imitate the walk of Josiah Lamborn, who had a short leg, and he would do it so exactly that I have had to look at him closely to see whether he himself hadn't one short leg.

Judge Murphy has told me of some of Bob's powers

as an advocate. And here let me say by way of introduction to what I am going to state, that Judge Murphy believed in the doctrine of psychology as taught at this present day, and he said that Bob possessed it in a degree beyond any man he had ever seen. "Why, sir," said he, "let him get close up to a jury and wave those long arms of his, and point his finger at first one and then another of the jury, and they were utterly powerless to get away from the conclusion to which Bob desired to conduct them."

Judge Murphy told me that in a case of murder tried before him, Bob appeared for the defendant. "And I tell you, sir," said he, "if there ever was a case of murder more clearly proved up, our judicial history does not record it; but Blackwell went in close to the jury, and by his psychological powers and manipulations, took possession of the jury—utterly erased from their minds the proofs of guilt—and after they retired, in about ten minutes' consultation, they returned with a verdict of 'not guilty.'"

I do not know but my friend Bob deserves a larger space here than I have given him, and yet I do not know but my friendship and partiality for him have caused me to give him a little larger space than he deserves.

Bob had his faults and frailties, but they never sank into vices. He carried sunshine wherever he went, and many 's the time that I have enjoyed the warmth of his genial conversation and sociality.

He has gone to his God who made him, and who bestowed upon him gifts not often given to other men, and whatever the theological world may think, I wish

to say here, in winding up my recollections of Bob Blackwell, that in my opinion God never created such a being as he was for eternal punishment; and I believe to-day, while I am lingering here upon these low grounds of sorrow and sin, he, with Lincoln, Douglas, Sam. McRoberts, his father, and Archie Williams, is walking with his God in heaven, where I trust I may some day meet him, and for the present I bid him farewell.

SAMUEL S. HAYES.

THE next person I intend to introduce into these pages is Samuel S. Hayes, of Chicago. My acquaintance with him commenced sometime in 1840—I think it was at Carmi, White county, the most southern county on my circuit.

S. S. Hayes is a very remarkable man. He acquired a thorough knowledge of the German and French languages in the course of a single winter, without a tutor or instructor, save the books which he purchased for that purpose. Bat Webb told me he was a perfect prodigy in the acquisition of languages.

I do not know at what precise time Mr. Hayes came to the bar, but I think it was somewhere about 1846, but I cannot speak positively. When I first knew him he lived in Shawneetown. I think he was not fully grown at that time. He came up from Shawneetown to Carmi at the term of the court which I was attending there. It was the first time I ever saw him. I took him then to be about seventeen years of age. He was introduced to me by my friend Henry Eddy, who told me privately that he was a young man of great promise, which in after life I found to be true.

Hayes had been a druggist, as I understood from himself, but he finally studied law and settled in White

county, Ills., and represented that county in the lower House of the legislature in 1846. I was a member of that body at that time. Our relations in the character of members was very pleasant. We had some little difficulties in after years which I do not choose to mention here.

Hayes has been a fortunate and prosperous man. He was originally a Whig, and almost worshiped at the shrine of Henry Clay, which nearly all young lawyers did at that day; but finding that the road to preferment did not lay in that direction, he turned a political sommersault and became a Democrat. He is now, and for a long time has been, Comptroller of the city of Chicago, and is a man, I understand, of fine financial abilities.

Mr. Hayes is the son-in-law of Col. E. D. Taylor, still living, and a man who has done more perhaps to bring about the success of the Illinois and Michigan Canal than any man now living.

I will not extend my remarks any further on S. S. Hayes, only to say that he is a good lawyer and a self-made man. Though his education was liberal, it was acquired through his own ambition and industry. He was first appointed to the office of comptroller under Frank Sherman, then Mayor of the city of Chicago. In that capacity he discharged the duties thereof to the satisfaction of everybody, I believe.

Mr. Hayes is a man who might fill any diplomatic or other position under our national government with credit to himself and advantage to the country.

I ought to say before I close these remarks, that Mr. Hayes is a good public speaker and also a good writer.

THOMAS J. GATEWOOD.

THE next name I propose to introduce here is that of Thomas J. Gatewood, better known by the name of "Jeff" Gatewood. I became acquainted with him at Carmi, Ill., on my first trip around my circuit. He was introduced to me by Col. A. P. Field. This was in 1836. Gatewood lived at Shawneetown, and was an eminent lawyer, and known as such by the bar all over the State. He stood in the front ranks of the legal profession. I have incidentally alluded to him in the sketch I have given of Jephtha Hardin. He was a large man, portly and good looking; had as fine a head as was ever placed upon any man's shoulders. I frequently met him at Vandalia and Springfield. He practiced law in the Supreme and Federal Courts of this State, and no lawyer stood higher with the court than Jeff. He was for a good many years a Senator in our State legislature. He was a splendid speaker, and would have risen to great national distinction had not death cut his career short in the very prime of life, he not being over forty years of age at the time of his demise. He had a very fine voice, which was full of melody. He was remarkable for the originality of his views, borrowing nothing from books or men, seldom perpetrating a quotation,

unless when he told a story, which he frequently did, and no man could tell a better one than Jeff. He was the very life and soul of every social and convivial party of which he made a member.

In his earlier career as a politician Jeff was a Whig, but as that party had little or nothing to bestow by way of preferment, Jeff finally concluded that there was richer pasturage on the other side of the fence, so he jumped over, expecting to feed on delicious Democratic clover. The Democrats were very glad to number Jeff as one of their party, but they did not seem to be in any haste to give him any high or lucrative place in their ranks.

I have heard a good story told of Jeff, which runs as follows: Being in a Democratic caucus at Springfield, where they were parceling out the offices amongst the various politicians of their party, they forgot to name Jeff as one of them, and when they got through Jeff said to them: "But what in the h—l are you going to do for Jeffy?" This remark struck them with such force that they changed their programme, and did provide for Jeff.

The last time I remember to have seen Jeff was when I was on the way to Kaskaskia in 1841. I fell in with him and Field at some little town about halfway between Charleston and Kaskaskia. I stopped at the hotel where they were, and we took dinner together.

Poor Jeff! he had his faults, but they were not crimes. I am not the man to unveil them, but would rather throw the broad mantle of charity over them; my maxim being "*Nihil mortuis nisi bonum.*"

THOMPSON CAMPBELL.

I AM going to introduce here to my readers a name which I have long hesitated to, lest I should not be able to do him full justice. I mean the late Thompson Campbell, who was Secretary of State in Illinois under Ford's administration. He was a rare man, as the London hotel-keeper said of Curran and Barrington, who had quizzed the London wits in the characters of raw Irishmen for over a month or more, which had greatly increased the custom of the landlord and added largely to his gains. After they had got tired of this sport they one day called for their bills, informing friend Boniface that they had concluded to return to Ireland. "Gentlemen," said he, "I have no bill against you. My house has prospered more during your short sojourn here than it ever did before, and without intending to flatter you, you are the rarest men I ever saw, and you are welcome to stay as long as you want to."

They declined to accept the invitation, and one may well imagine the astonishment of the innkeeper when they informed him that they were counselors Curran and Barrington of the city of Dublin, and had been playing off upon the London wits for the last month or more in the characters of raw Irishmen.

The reader will pardon this digression, and allow me

to import from history something to enliven these pages more than I can do from my own materials.

Thompson Campbell was a genius in the full sense and meaning of that word. He was full of fun and humor, and his satire and irony cut like a two-edged sword, and his fault was that he was not particular whether this sword pierced a friend or foe.

My acquaintance with Campbell commenced in 1837, at St. Louis, when we traveled together on a steamboat to Erie, up the Illinois river. He was then but a mere boy—not over seventeen or eighteen years of age—and he was a bright and beautiful boy, with the finest black eyes I ever saw. His was a face pleasant to look on—genius, fun, wit and humor played like lightning all over it. How sad to think that it now lies cold in death! From the day of our first acquaintance until the last I ever saw of him we were devoted friends. I met him in 1860, at Charleston, South Carolina. I was a delegate to the Democratic Convention that assembled there at that time to nominate a President. Campbell was there, but not in the character of a delegate, but as a friend of Stephen A. Douglas, in which friendship we perfectly harmonized. I started from Chicago in company with nearly the whole Northwestern delegation, except those we met with in passing through Indiana and Ohio, amongst whom was that genial, witty, and little-big man, Sunset Cox, who attempted to poke some fun at me as we crossed the Ohio river, and he actually seduced me into making a speech to the crowd that had assembled there. It was not a long speech, nor a very good one. The reader may guess the reason if he chooses.

We went by Washington City, and stopped there a day or two, and visited our friend Douglas, at his residence, in a body, and interchanged opinions in reference to uniting the Northern and Southern Democracy. Many of us had our doubts about doing so, but Mr. Douglas, with all his great common sense, upon that subject was perfectly infatuated. We all told him that such men as Yancey and other fire-eaters who controlled public opinion in the South, were very bitter towards him in consequence of his not letting Kansas come into the Union under the Lecompton Constitution, which history has recorded as the greatest fraud ever practiced upon a free people. "Well, gentlemen," said he, "let the politicians do their worst, the Southern people will not go with them;" and went on to show us from information he had received from the South that such was the fact. And would you believe it? he convinced us all that he was right. But that was one of the saddest mistakes that Stephen A. Douglas ever made, for he had not more than entered the Southern States than we began to feel that the South was lost to Douglas; and when we got to Charleston, South Carolina, we found the hostile feeling towards him at fever heat. While William L. Yancey, and others of his kidney, addressed the vast crowd that gathered nightly around the Mills House to hear their inflammatory speeches, not a single friend of Mr. Douglas was permitted to speak. Several of us attempted to do so, but they drowned what we said with the beating of drums and tin pans, and the blowing of horns, and many other unearthly noises!

Senator Pugh, from Ohio, and myself, made speeches in the Hibernian Hall, but our only auditors were the Northwestern delegation. About the first man I met on my arrival in the city of Charleston was my old friend Thompson Campbell. He was very glad to see me, and I was equally glad to see him. We soon learned that the Southern sympathies were not with us Northern delegates, who were friendly to Mr. Douglas. The truth is, I believe they disliked him worse than they did Lincoln. I had no intercourse on my part with the Southern fire-eaters. I heard subdued murmurs of civil war uttered by them from various quarters. They evidently tried to frighten us, but we didn't propose to be frightened. We stopped there for over two or three weeks. We tried every expedient to convince our Southern friends that if they did not unite with us some Northern Abolitionist would be elected President, and that no man could foresee the consequences. At that time there was not a man north or south of Mason and Dixon's line that even dreamed of the nomination of Abraham Lincoln as the candidate of the Republican party. After balloting for over two weeks, without nominating anybody for President, we adjourned to meet at Baltimore on a subsequent day.

On my return home to Illinois, I had the pleasure of traveling in company with the subject of this sketch. We came by rail, through South Carolina, Georgia, Alabama and Tennessee, to Memphis. We had several Southern fire-eaters on the train, and so intemperate was Campbell in his remarks that I was very fearful that he would stir up their hot blood to the shedding

of his; but they seemed rather to admire than be offended at anything Campbell said, for it was so seasoned with wit and humor, and the absence of all fear upon his part, that it chimed in with the notions and opinions of these southern knights. He would frequently d—n them, and tell them they were a set of d—d fools, and that Douglas was the best friend they had in the world; that they themselves had advocated the very doctrines for which he contended, and he quoted the speeches of some of their most eminent men and the resolutions of their conventions to prove it; but they took no offense whatever at what he said. The weather was extremely hot, and Campbell and I fixed us a sort of couch upon which we reposed side by side. By the time we reached Memphis my friend Campbell was exceedingly sick.

But I will go back in this story to relate a very amusing circumstance that occured on the road from Charleston to Augusta. At some wayside tavern we stopped to take dinner. Thompson, feeling pretty good, set down to a game of poker with some gentlemen who had invited him to take a part with them; and he, taking no note of time, and being somewhat successful in the game, permitted the train to move off without having him on board, leaving his trunk, coat, vest and hat on board. Hunkins, of Galena, Sam Buckmaster and myself, soon discovered that Campbell was left behind. At the first station where we stopped we telegraphed the fact back to where we had left him. We lay by a day and night at Augusta, that he might overtake us there. Eventually he arrived, with an old dilapidated stove-pipe hat, his face

covered with dust, and the sweat making dirty patches down his cheek, and when he arrived and we received him, he burst into tears—"Did any man ever have such friends as I have?" The hotel-keeper had ready a fine lunch of green turtle soup, of which we all partook most bountifully, and went on our way rejoicing, to Memphis; and as I have said before, when we got there Campbell was quite sick, and we had to stay there two or three days to recuperate him. I really entertained serious fears as to his recovery, but through good physicians, kind nursing, and encouraging conversation, we brought him through.

I will ask the reader to allow me here to relate a little piece of fun and wit upon the part of a negro boy, which I saw and heard while in this city. This boy was about fifteen years of age; he was driving a one-horse dray, but instead of a horse he had a mule, and the mule stopped still and would not move a peg. The negro whipped him and whipped him, and hollered "get up!" and repeated it over and over again, until he was finally exhausted, and leaning back he addressed his mule in the following language: "Feel very proud, don't you? I suppose you forgot that your daddy was a jackass, hain't ye?"

Now reader, if you have a lively perception of what constitutes wit, you will recognize a good deal of it in the remark of this little negro.

We finally got Campbell on board of a fine river packet and landed him in a short time at St. Louis.

If my readers will go back with me to Charleston, I will relate a few incidents that occurred there, not unworthy, perhaps, of being recorded.

Charleston is one of the oldest cities in the United States. There is not much resemblance in the manners and habits of the Northern and extreme Southern people. It is true the latter are warm-hearted and generous, even to a fault, but lacking in the calculation and prudence of their Northern brethren. This was easily to be observed by the speeches made in that convention by such Hotspurs as Yancey and others, *et id omne genus*, and our cooler-headed speakers from the North. I had not been in that convention over three days till I discovered a deep-rooted hostility and burning dislike to Northern men and statesmen. We did everything in our power to compromise with them, so as to prevent the cutting up and dividing of the Democratic party. They made an offer to us that we might select the candidate for the party if we would let them make up the platform — or let them select the candidate, and we might make the platform. Inevitable defeat awaited us in the acceptance of this proposition. If they had built the platform we should have had to stand on the Dred Scott decision, the Lecompton Constitution with the right of Southern slaveholders to carry their slaves into free territory, and hold them there as such against the wishes of the people of such territories.

With such a platform as this, we could not have carried a single electoral vote north of Mason and Dixon's line. Had we given them the candidate, they selecting such a man as William L. Yancey, the consequences would have been equally disastrous, for we would have lost the whole North and a considerable portion of the South. The division in the Democratic party at this convention was greatly augmented by the

countenance given to the exhorbitant claims of the South by such men as Benjamin F. Butler and Caleb Cushing. They succeeded in electing Caleb Cushing as the permanent chairman of the convention. Butler, as I have always understood, was sent there by his constituents, instructed to go for Stephen A. Douglas, and most nobly did he fulfill that trust—by voting fifty-seven times for Jeff Davis, and never casting a single vote for Douglas; and when the extreme southern men retired from the convention, and held a caucus amongst themselves, in which they resolved to hold a convention at Richmond, Va., as antagonistic to Baltimore, to which place a majority of the party had adjourned, Caleb Cushing and Benjamin F. Butler were in this caucus—active participants in all its doings, patting such men as William L. Yancey on the back, and encouraging them in their disloyalty to the party and the Union. My readers may think this strange upon the part of these two men, and be unable to find a sufficient motive for their conduct, but I never had a particle of difficulty—their action resulted from jealousy and hostility to Douglas. They are both ambitious men, and felt piqued that so young a man as Douglas should have such rapid growth, and cast older men like themselves into the shade. Now, reader, just think of it. That this man Butler, who contributed so largely to the breaking up of his party, and bringing on the country a civil war, should be appointed manager and prosecutor of Andrew Johnson, the most glorious patriot and Union man of the nation; a man who had been an extreme pro-slavery man, and voted fifty-seven times for Jeff Davis, as I have before

said, becomes *par excellence* a Union man and Abolitionist after the election of Mr. Lincoln. But sooner or later all such men meet their reward, and he has met his. Massachusetts has given her verdict against him, and whatever may be said of his talents, nobody entertains any respect for his integrity, and he is now sunk to his original insignificance, without having any place in the heart or affection of a single honest man in this nation. Campbell's comments on these two men, Cushing and Butler, on the road from Charleston to Memphis, were so sarcastic and amusing that the Southern men on board the cars joined as heartily in the laugh as the rest of us.

To give the reader a perfect idea of Thompson Campbell, I must go back to an earlier period and pick up what I have left behind. As I have said before, he had been Secretary of State, and he at one time was Representative in Congress from the district subsequently represented by Elihu Washburn, his home being at Galena. I forget who was his opponent at the time he ran for Congress. Suffice it to say, he was a rabid Abolitionist. All of Campbell's acquaintances who lived in the Southern part of the State knew that he hated the Abolitionists as cordially as the most Southern man in the Union. Now this district was the darkest in the State, and contained within it more Abolitionists than any other district in the State. Some of the enemies of Campbell, rank Abolitionists, addressed him through the public press a series of questions—such as, "Are you for excluding slavery from the territories, and for abolishing slavery in the District of Columbia?" "Are you opposed to admit-

ting any more slave States into the Union?" and, strange to say, Campbell, to the astonishment of many of his old political friends, and to the utter dismay and confusion of his enemies in the district, who had expected to entrap him, answered all their questions just as the rankest Abolitionist in the Nation would have answered them; consequently he was elected. I asked him myself while we were on our trip from Charleston, South Carolina, to Memphis, if at the time he answered those queries he intended to redeem any of the pledges he made to these men who poked at him these questions. "Not the first one of them," was his answer; "they laid a trap for me, but the black rascals fell into it themselves, and I hoisted them with their own petard."

After Campbell had served out his term in Congress, he became exceedingly poor and indigent, but Douglas got him the appointment as one of three commissioners of land claims in California. While acting in that capacity, a case came before them in which millions of dollars were involved. One of the parties to this controversy, perceiving that Campbell possessed great influence with his colleagues, took him aside and proposed to give him a hundred thousand dollars in gold if he would resign his office and become their lawyer, and that they would count him down sixty thousand dollars as his retaining fee; "and I'll tell you, Linder," he said to me, "I was not such a d——d fool as to refuse to take it, and the prettiest sight my eyes ever dwelt on was the pile of gold they counted down to me in twenty-dollar pieces, Just think of it," said he, "of a lawyer getting sixty thousand dollars in gold as a retainer!"

I then asked him: "Thompson, did you get your other forty thousand dollars? and if so, what did you do with your money?"

"Yes I did," said he, "and it was also in gold, and I sent it by express to safe hands in Philadelphia, and d——d soon followed it in person. One-half of it I loaned to responsible men in Philadelphia at ten per cent. interest, secured by deed of trust on unincumbered real estate worth half a million of dollars. Of the balance of the one hundred thousand, I gave my wife five thousand, and kept five thousand for my own use. The residue of the forty thousand dollars I brought to St. Louis, and loaned on the same interest on the same kind of securities as those I had taken in Philadelphia. This interest is payable semi-annually, and now," said he to me, "do you think there is any danger of my ever coming to want?"

"I don't know, Thompson," said I, "you used to be rather lavish and prodigal with your funds."

"Yes, I was; and you remember the time, Linder, when the members of the legislature at Springfield had to raise by subscription a fund to pay my tavern bill, and send me and my family home to Galena; but that will never occur again, for I'll be d——d if I haven't become one of the stingiest men in the world. I am a perfect Shylock. To be sure, I am not meanly little, nor do I propose to be so in a small way; but when it comes to making a big grab, I'm always there."

In coming across the country from Charleston to Memphis, we stopped and lay over a night at Atlanta, Georgia. The hotel where we stopped was one of

the best kept I ever saw; and an incident occurred here which I'll venture to relate, although my readers may think it of too trifling a character to find a place in these pages. I noticed a very black negro man officiating as waiter, and I happened to be within hearing when the hotel-keeper, his master and owner, asked him for the loan of fifty or a hundred dollars. "Oh! certainly, massa," said he, and pulled it out and gave it to him. After the landlord retired, Campbell and I called the negro to us and asked him how it happened that he was loaning money to his master, and where he got the money, "O, gemmen," said he, "I bought a ticket in the lottery and drew a prize of ten thousand dollars."

"Well," said one of us, "Its a wonder he don't take it without asking it as a loan, for by the laws of Georgia both you and your money belong to him."

"Yah! Yah! Yah!" said he; "You don't understand my massa; he be too good a man for dat."

"Well," said I, "Sambo, does he pay you back these loans?"

"Yes, sah, and offers me ten per cent interest, but I nebber takes it and nebber will."

"Well," said I, again, "why don't you purchase your freedom?"

After another negro laugh he replied: "O, God bless your precious heart, how can I be any freer than I am now? I goes when I pleases and comes when I pleases, and my massa never makes any complaint; I nussed him when he was a little child and massa lubs me and I lubs him, and I will nebber leave him wile I lib, so long as he is willin' to keep me."

Campbell turned to me and remarked significantly, "I wish some of those d—d rabid Northern Abolitionists were here to hear what that nigger says."

I have been rather irregular in picking up the incidents that I have here narrated in reference to Thompson Campbell. I have not spoken of an affair of honor which occurred between him and another brother member of the convention that formed our State Constitution of 1848, to settle which they went to St. Louis for the purpose of fighting on Bloody Island; but it was terminated without bloodshed, how, I cannot say exactly, but I am inclined to think Campbell's opponent backed down.

Campbell's place of residence up to 1861 or '62 was in Chicago. He finally returned to San Francisco, California, and died there shortly afterwards; and after all the vicissitudes of his life left his family in easy and pleasant circumstances.

If I were going to make a man, as Lincoln once said to me in reference to a particular acquaintance of ours, I don't know as I should make exactly such a man as Thompson Campbell, but for wit, humor and sarcasm it would be a difficult matter to improve upon what God Almighty did for him; and although I have often felt the edge of his sarcasm, his company and society were always very agreeable to me. He has gone to his last home, and he went in the very prime of his life. His faults were not grievous, and his talents and genius flashed over them like lightning when it plays across the clouds of heaven. I do not know of a single man that I can now call to mind within the scope of my memory, with whom to compare Thompson Camp-

bell. I never saw a man exactly like him, or that even resembled him. He was a good lawyer, a very fine and interesting speaker, and possessed of a pungency of wit that burnt like lunar-caustic, and when he undertook to demolish one of his victims, there was peculiar play of feature that lighted up his countenance that told of the thunderbolt that was about to be launched. To say that Thompson Campbell was a *very* great man or statesman, or even lawyer, would perhaps be saying too much, but I can say in the English sense of the word, he was the *cleverest* man I ever knew.' A New Englander would say he was the *smartest* man. The reader will please give to the word smart a nasal and Puritanical accent.

I must now leave the name of Thompson Campbell to my kind and charitable readers, with whose memory I entreat them to deal as kindly and leniently as I trust they will with mine when I am gone. He lies sleeping in the land of flowers. May the grass be ever green and fresh upon his grave, is the last tribute that an old friend pays to his memory.

GURDON S. HUBBARD.

GURDON S. HUBBARD, one of the oldest citizens of Northern Illinois, came to the West about 1818, and settled as an Indian trader at Hennepin, but his business frequently brought him to Chicago. He is now seventy-four years of age, and one of the best preserved men I know of in the whole circle of my acquaintance. He was a member of the lower House of the General Assembly of Illinois in 1832, and introduced the first railroad bill ever presented to that body. It was a bill intended to take the place of the canal. He carried it through his House by a majority of sixteen votes, but it failed in the Senate by one vote, being the casting vate of the Lieutenant Governor, Zadock Casey. He was afterwards one of the commissioners of the Illinois and Michigan Canal, and contributed perhaps as much as any other man to give character and success to that work. My acquaintance with Gurdon S. Hubbard commenced in 1836 and '37, at old Vandalia. He was in attendance upon the legislature then in session at that place, where he had some axes to grind, but what they were I do not now remember. I know that

he and others who were well acquainted with the Indian character and habits, greatly amused us members by performing the Indian war dance, and I know that they did it with great exactitude, because I have since seen a part of the tribe of Pottawatomies perform the same dance, and not any better than Gurdon's party performed it. The truth is, one was an exact counterpart of the other. All of Gurdon's party understood the Indian dialect, and could speak it as well as an Indian chief. Hubbard was born in one of the New England States, and received all the education that he ever got in his native State. He removed West at a very early day, and became (as I have said before) an Indian trader at Hennepin.

He is a man possessing some very noble traits of character; is generous to a fault, and self-sacrificing in his nature, as an evidence of which I will relate a circumstance that occurred a good many years ago, which I heard from a number of his acquaintances, and finally had it confirmed from his own lips. He was going up the Ohio river on a steamboat when a small boy, some six years old, fell overboard into the river, and the mother of the boy was perfectly frantic, as was also the father. Their names were Linton. Hubbard didn't wait a moment, but threw off his overcoat and jumped in after the boy. The boat couldn't be stopped for some time, and got at least a mile above where the boy fell overboard. Hubbard succeeded in grasping the boy by the ankle as he was going down for the last time. He held him aloft and turned him over so as to let the water run out of his mouth, at the same time supporting himself, as he told me, by treading

water until the boat turned around and came down and picked them up, the boy being to all appearance dead. Hubbard himself was greatly exhausted, but Doctor Fithian, his brother-in-law, was on board, and had restoratives and warm blankets prepared for the two sufferers, and they were soon revived; and when Hubbard awoke to consciousness, it was to find the mother of the boy embracing him and weeping like a child, the father standing by and weeping also. They changed the name of the boy, and called him after Mr. Hubbard. Whenever the mother met him on the boat she would burst out crying. This occurrence went the rounds of all the newspapers of the nation.

My acquaintance with Gurdon S. Hubbard has continued at intervals from its commencement until the present time. Our relations have been of a very friendly character. He has had, as I have understood, many vicissitudes of fortune, going down at one time and up at another.

My readers will perhaps remember the sad tragedy of the sinking of the Lady Elgin, which boat was owned by Gurdon S. Hubbard. If my memory serves me, some three hundred lives were lost on that occasion, among whom were some of the most esteemed citizens of Milwaukee and the Northwest, but the greater number of those that perished were citizens of Milwaukee. Upon that occasion, after the news of the disaster came to hand, Gurdon S. Hubbard displayed his usual energy and humanity. He put in requisition all the means he could command to save the lives of those who were alive and afloat on the lake, and to gather up the bodies of those who drifted ashore for miles

and miles above Chicago. Immediately after the news of the loss of the Lady Elgin had reached Chicago, Mr. Hubbard chartered a special train of cars, upon which he placed life-boats, ropes and other materials for saving life, used in wrecking, and proceeded without a moment's delay with a party of friends to the village of Winnetka, about sixteen miles north of Chicago, where the scene of horror beggared description. The lake was at that point covered with the bodies of the survivors who had managed thus far to escape a watery grave by clinging to the remnants of the wreck, but the waves, which were running mountain high, would dash them in to the serf, where they would lose their rafts and sink within a hundred yards of the shore, never to rise on earth again. Hubbard made several attempts to launch the life-boats, but the waves were running so high that they were instantly thrown back onto the beach. Despairing of all other means, he took a coil of rope and tying one end around his body, he plunged into the serf, and when he had secured a hold on one of these survivors, those on the beach would draw in the line, and in this way Mr. Hubbard saved over forty human lives from a watery grave; and he did not leave off this method of saving lives until he was completely exhausted.

There are doubtless many incidents in the life of Gurdon S. Hubbard that would add greatly to the interest my readers might take in these memoirs were I in possession of them, for he was a frontier's man that came to Chicago before it had arisen to the dignity of village. As I have said before, he is now over seventy-four years of age, a well-preserved man, and bids fair

to live some fifteen or twenty years yet to come. His hair has but few threads of silver running through it, and he has all the vivacity that he possessed some forty years ago, when our acquaintance first commenced. He can be found any day at his office, as busy as a bee.

JOHN WENTWORTH.

THE next name that I shall introduce is that of John Wentworth, better known as "Long John." To those who know him and have seen him personally, I need not say that he is a giant in stature. He is six feet six or eight inches high, and if Stephen A. Douglas obtained the sobriquet of the "Little Giant," "Long John," in physical proportions at least, should be called the "Big Giant of Illinois." An old citizen of Chicago told me that the first time he saw Wentworth he was in the midst of a crowd that had convened around an old brick hotel located on Lake street, Chicago, "and," said he, "he towered so far above the heads of the crowd that I really thought that it was some man on horseback, and I said to a friend at my side: 'what is that fool doing on horseback in the midst of such a crowd as this?'" His friend replied: "He is not on horseback; I know him —that is Long John Wentworth."

Long John came to this State at a very early day, and commenced his public career as editor, and proprietor of a paper entitled *The Chicago Democrat.* He was at that time a Democrat, and so continued for many years, until the Republican party arose,

when he was among the earliest to attach himself thereto. While a Democrat, he was elected to Congress from the district including Chicago, which district then extended as far south as Danville, Illinois, and he represented that district for many years during his Democracy, and he has since represented it as a Republican. John Wentworth while in Congress made no contemptible figure there. He was emphatically a working member—was noted for his hostility to extravagance, and was a perfect terror to the treasury rats and all the public thieves and peculators on the treasury, who were wont to congregate about Washington City, like buzzards around some dead and putrid carcass. He has been twice mayor of the city of Chicago, and while holding that office he was an equal terror to the thieves and those who desired to feed and fatten upon the city treasury. Whatever may be said of John Wentworth in other respects, it may be said in his praise, what can be said of but few other men, that during his long official career he never touched the public moneys, except to dispose of them according to law, and that with great frugality and economy. When the Republican party became corrupt, John forthwith withdrew from it, and gave efficient aid in starting what was called the Citizens' Party of Chicago, which overthrew that dynasty in that city.

I shall never forget a speech I heard him make in Farwell Hall at the beginning of the campaign between the citizens and Republican party. He came to the stand without introduction, which, though usual on such occasions, he would not allow, and in his case was certainly unnecessary, for there was cer-

tainly not a man, woman or child in the city of Chicago to whom Long John was not known. His name has become a household-word. When he took his place on the stand he stood silent for at least a minute, turning his face from one side of the audience to the other, which filled that vast hall to repletion, then opened his remarks with the following words: "Thou shalt not steal," in a voice as solemn as that, we may suppose in which Moses spoke when he first announced this portion of the decalogue to the children of Israel. He then went on in the most scathing style to recount the misdeeds, shortcomings and broken promises of the Republican party. "Now," said he, "fellow citizens, the Republican party in its origin was honest and pure, and I believe from my heart that it saved the Union; and while it was pure and honest, I stood by it, and supported it, and would be with it to-night had it continued so; but the long possession of power has corrupted it, and it has fallen from its first estate." "Why," said he, "some of my friends have asked me, 'Will you, John Wentworth, one of the Fathers of the Republican party, ruthlessly tear it down?'" and drawing himself up to his full height, he said, with an emphasis I never shall forget, "Better a thousand times, fellow citizens, that it should be *torn* down than *rot* down." This remark was received with a perfect storm of applause.

No man has said much better things than John Wentworth, orally and with his pen. I recollect reading in the *Chicago Democrat* (which I have before stated was edited by Wentworth), after Bob Wilson, of the recorder's court, had been abusing him for weeks,

not leaving out a single abusive adjective in the English language, an editorial of Long John's, which said, in an apparently good-natured way, in substance as follows:

"I don't wish my friends to be seriously offended at the remarks of my old friend Bob Wilson. Bob once belonged to me, and never did I have a more faithful servant, but they bought him away from me, and have at present got possession of him. But never mind, I shall get him back again; and as the boy said about his monkey to a gentleman whom his monkey had attempted to bite (when asked by the man what sort of a d—d animal he was), 'he is a very good monkey,' said he, 'and not half as bad as you think he is, for when I hold him he will bite and scratch you, but if you hold him he will bite and scratch me'; and so with my old friend Bob. When I had him in my keeping, he did valuable service for me in biting and scratching my enemies. Never mind, I'll have him again before long."

I shall never forget the torrent of abuse that my old friend Bob heaped upon Long John on account of this article in his newspaper, but nevertheless it had a telling effect upon the public mind, the worst of which fell to the share of my friend Bob.

I shall relate another circumstance in reference to Wentworth, which occurred at McCormick's Hall some two years ago, which was the last speech I ever heard him make. He and I were the only speakers on that occasion. He compared the Republican party, which he said had used the war to catch votes, to an old man who had been washed over a mill-dam and

drowned. One of his near neighbors discovering the fact, reported it to his wife, and told her in a very solemn strain that her husband was drowned, and finding his abdomen very much swollen, they had taken the liberty of cutting him open, and had found him full of living eels. "Gracious alive," said she, "bring the eels to me and I will skin them and cook them, and set the old man and catch some more."

"Fellow citizens, this eel-trap of the Republican party has been set rather too often, and I think they have caught their last eel."

John and I, on that occasion, really made old-fashioned Jeffersonian, democratic speeches, which brought down upon us the denunciations of a certain paper in the city of Chicago, charging us with being antiquated fossils, and at least a thousand years behind the times; but public opinion has thoroughly disarmed the editor of that paper.

As John Wentworth is a public character and widely known, I deem it unnecessary here to say any more about him. I have only related such facts and anecdotes as the grave and dignified historian might pass by, thinking them beneath his notice and unworthy of being recorded, but I have thought them necessary to a full understanding of Wentworth's talents and character.

JOHN A. LOGAN.

THERE wish to introduce Gen. John A. Logan, whose name and fame are so well known to the American people that it would seem like an act of supererogation to give him a place in these memoirs; but I was acquainted with his father, who was a great personal and political friend of mine —old Dr. Logan—with whom I served in the legislature in 1836 and '37. He and I were both members of the same House, and no man took a more active part in my election as Attorney-General than Dr. Logan. I therefore feel that I owe it to his memory to say something here of his distinguished son, one of our present Senators in Congress.

My acquaintance with the General commenced in 1847 or '48, at Springfield. He was then but a mere stripling, but a very bright and promising one. He commenced his political career as a member of the House of Representatives in the Illinois Legislature, from one of the southern counties of the State. He had scarcely warmed his seat when he opened upon some of the exciting topics of the day, which might remind my readers of what an English traveler and writer said about our young Americans. He said the

first word a boy-baby lisped was "*Mr. Speaker*," meaning that we were all born politicians.

Subsequent to the time of his membership in the legislature, he represented one of the southern districts of the State in the Congress of the United States, for several successive sessions. During all this time John was a flaming Democrat, and no man hated an Abolitionist more than he. His sympathies were all with the Southern people, which even lasted up to and beyond the commencement of our late civil war. Rumor has said that he induced one of his brothers-in-law to join the Southern army, promising that he would raise a regiment and soon follow him. However that may be, John cast his lot with the North, and became ultimately one of our Major-Generals, where he did good service and distinguished himself as one of our bravest fighting generals.

I do not propose to give here his career as a warrior and a soldier; that has already been done much better than I can do it, by others who have written a history of that war, in which John's gallantry as a soldier and skill as a general have been fully recorded. I will simply content myself by saying that he was one of our generals at the taking of Vicksburg, and was also in the bloody battle of Shiloh, and other memorable engagements, where he covered himself with glory and honor.

The people of our State have not forgotten his services in the Union cause, but have rewarded him by making him one of our Senators in Congress.

In 1858, in the Senatorial campaign between Douglas and Lincoln, in which I, as my readers know, took

an active part for Douglas, we met John A. Logan at Chester, on the Mississippi, where he and I both made speeches in favor of Mr. Douglas. From there we went to Cairo, where Logan and I both spoke after Mr. Douglas. My recollection is that Logan went with us from there to Jonesboro, where we met with Mr. Lincoln, that being one of the places fixed upon for their joint debate; but I don't remember that Logan made any speech at this place. I think he did not, for the time was principally occupied by Lincoln and Douglas; and after them by Col. Dougherty and myself, we being on different sides. John A. Logan continued a Democrat and an extreme Southern man in his sympathies up to the secession of the Southern States, and when Mr. Douglas made his patriotic speech at Springfield, for which the Republicans so lauded him, in which he said "There were now but two parties—Patriots and Traitors," John A. Logan was there, and took such mortal offense at the speech of Douglas, that when he met him on the streets he actually refused to shake hands with him. Some six months or a year after this time, we may date the commencement of the change of Logan's sentiments in reference to the controversy between the North and South. What share his appointment as general in our army had to do with this change, I will not undertake to say. If his previous course was a grievous offense, his subsequent career has amply condoned it. Every man must be allowed the privilege of changing his views, politics or religion, when he finds himself in an error, and it is not right to assign improper motives for a man's course when there are higher and purer one's which charity can discover; and with that charity

which I have always demanded for myself, I am willing to allow most cheerfully that Gen. Logan, in changing his views, was governed by high and patriotic motives. With this remark, I leave him in the hands of the historian and to posterity, by whom more ample justice will be done him.

JOHN T. STUART.

JOHN T. STUART, of Springfield, Ill., I propose now to introduce to my readers. I deem it impossible to present them with the name of a worthier or better man. He was a Representative in Congress from the district, including Springfield, that extended as far north as the line dividing Wisconsin from Illinois. I remember that in 1838 Douglas was a candidate against him, but his good star was not then in the ascendant, and consequently Stuart was elected and Douglas defeated. Douglas would have been elected had it not been for a rascally contrivance of old Jim Turney, who, pretending to be a friend of Douglas, got the Irish on the canal to vote for "John A. Douglas," "James A. Douglas," and every other Douglas you might imagine except the right one of Stephen A. Douglas. Of course all these votes were counted out, and Douglas was cheated of his election. Turney played this trick upon Douglas from the meanest and most envious of motives. He thought that he should have been run by the Democratic party instead of Douglas. I do not recollect now whether Stuart was re-elected at the next election or not; but one thing I will say, that while in Congress he made a very respectable member. He was a decided Whig in

his politics. Prior to his election to Congress he had been repeatedly a member of our State legislature, and while there had been dubbed with the *sobriquet* of "Jerry Sly." This was owing to John's great powers of sly management and intrigue.

He had the reputation of being the ablest and most efficient jury lawyer in the State, especially in trespass and slander cases, preventing the recovery of large damages for the plaintiff when he was for the defendant.

John T. Stuart stands about six feet high in his stockings, and when I first saw him, which was in 1837, I thought him the handsomest man in Illinois. He had the mildest and most amiable expression of countenance I nearly ever saw. He is eminently cheerful, social and good-humored, and a man would be a fiend to pick a quarrel with him.

For many years he and Ben. F. Edwards were law partners, and were engaged, as I have before stated, for the defense in the celebrated murder case where I made the fatal mistake of taking one of their associates—counsellor Rosette—for the criminal.

John T. Stuart did not go off with Lincoln and Trumbull into the Republican party, although an original Whig.

Although Stuart has never done anything, nor had a chance to do it, whereby to make a great name in his country's history, yet he is far from sinking to the level of mere mediocrity. I have known many noisy men, who thought themselves great men, that might well covet the reputation of John T. Stuart.

As I understand, he is still living and resides in his

old town of Springfield, Ill., and is a bright and shining ornament to the social circle in which he moves, and knowing nothing more particular in reference to Stuart which would be entertaining to my readers, I now introduce the name of Benjamin F. Edwards.

BENJAMIN F. EDWARDS.

HE was the son of Gov. Ninian Edwards, and the brother of Ninian W. Edwards, of whom I have already given a sketch. He is a very fine lawyer; was liberally educated, but I may say without giving any offense to him, that he is one of the vainest men I ever knew, having inherited it from his father. But vanity was not the only thing he inherited from him, for he also inherited a large share of his father's talent and legal mind. Ben Edwards I think has been on the circuit bench of Sangamon county, but as I have not kept a close run of him for the last six or eight years, I cannot speak with any great degree of certainty.

Ben has not cut any very conspicuous figure in politics, but he has succeeded in making himself a very profound and respectable lawyer.

Knowing nothing more of him necessary to be recorded, I now take leave of him for the purpose of introducing another name belonging to Illinois, for my intention in writing this work has been to preserve names of worthy contemporaries, and transmitting them to posterity, who might otherwise sink into oblivion. My object has been and is to snatch from

obscurity the men of worth, genius and talent, whom I have known, and embalm them, if possible, in these humble Reminiscences.

Worthy reader, my labors are drawing to a close, and so is my life. This work is not one of ambition, but it is a labor of love and friendship. It contains the names of many valued friends, and the incidents and anecdotes connected with their lives, covering a period of forty or fifty years. The only thing I have to regret is, that I cannot do full justice to the many names here introduced; from the fact that I have had to draw upon frail human memory for my materials—and that the decaying memory of an old man, standing on the verge of three-score and ten years. But don't suppose, dear reader, that because memory has grown a little dim, that my heart is less warm than it was in the heyday of life; and as I call up each name and face from the lumber house of memory, I seem to be living over again the days of my youth and early manhood. The task is therefore very far from being disagreeable to me, and the only anxiety I feel is that I may leave out the name of some worthy old friend who is entitled to a place in these pages. Don't suppose, dear reader, that these memoirs are solely dedicated and devoted to my personal friends, for I have not forgotten men of worth whom I cannot class in that category. If I know my own heart, I have written nothing thus far with the motive of fixing a stain upon the fame of any mortal man, for my heart beats kindly and warmly for the whole human family; and, as Washington Irving has said much more elegantly than I can say it: "My heart now throbs as warmly

and kindly for thee, worthy reader," and my only fear is that this work will fall short of supplying that intellectual food and entertainment for my readers which has been the paramount motive and desire I have had in getting up these memoirs.

CYRUS EDWARDS.

I WILL now present you with the name of one of the worthiest men of Illinois—one of the oldest citizens of this State, and in age an octogenarian—it is the name of Cyrus Edwards, the brother of Governor Ninian Edwards, and the uncle of Benj. F. Edwards and Ninian W. Edwards.

My acquaintance with him dates back as far as 1837, and commenced about the time, or a little before, the "Alton riots." The last time I saw him was a few days before the last Presidential election, at his own house in Upper Alton.

Cyrus Edwards is a native of Maryland. He was liberally educated, and studied the law as a profession, but I am not aware that he ever practiced it. In stature he stands about six feet four inches in his stockings, and his *personnel* is one of the finest I ever looked upon; and at the time I last saw him he stood as straight and erect as an arrow, and his venerable face and form reminded me forcibly of the portraits I have seen of George Washington. As a man of literature and *belles-lettres* scholar I know of no man in the State who is his equal. He was at one time a Senator in our State Legislature, and I am not sure now, that I come to reflect upon it,

but what he was a member of that body at the session of 1836 and '37, when I was a member of the lower House.

At the time I last saw him, to which I have alluded, the old man was so glad to see me that he actually shed tears of joy. On the evening of that day I made a speech on the political topics of the day in Upper Alton, and Cyrus Edwards was present, and one of my most delighted auditors.

I heard him deliver a course of lectures in Lower Alton in 1837, which was the finest specimen of literature and taste I ever heard. He is a most elegant gentleman—a man of refined and accomplished manners.

It has always been a matter of astonishment to me that Cyrus Edwards did not reach a higher position than that of State Senator. Many men went to Congress who were greatly his inferiors; but he sits down in the calm twilight of old age with the strong hope that though his vision must close upon the things of earth, it will open upon a glorious immortality. He is one of the purest men that ever made a foot-print upon the soil of Illinois. I have loved him with the devotedness of a son to a father, and I do believe he returned my affection.

Cyrus Edwards was reared in the Jeffersonian school of politics. In his social relations he might be styled a refined and cultivated aristocrat, but he never made any man feel uncomfortable by any assumed superiority. The world may say what it pleases about the equality of men and the equality of rights, but I undertake to say here that men of bright and shining parts only become more resplendent in their glory by

being contrasted with inferior lights, and it has been ordered by the great Governor of the Universe that one star should shine brighter than another in glory; and in the constellation of genius Cyrus Edwards is a star of the first magnitude, but of mild and resplendent glory.

If he had been a man of more ambition he might have reached an eminence far above anything he ever attained to; but he aspired more to a social than to a political position in life. I think he is now not far from being eighty-five or ninety years of age. He is probably, next to his distinguished brother, the Governor, one of the most talented and gifted members of the great Edwards family, and that I have not written more of him than I have results from the fact that he never aspired, like some of his relatives, to a high position. He was made more for social than political life, therefore I have to drop him here, with regret.

ISAAC P. WALKER.

ISAAC P. WALKER is the next name I shall introduce to my readers. When I first became acquainted with him he was a student under my dear old friend, Samuel McRoberts, and he was one of the brightest and most promising boys I nearly ever saw. One of Ike's peculiarities was the length of his whiskers, and I remember to have advertised his coming to one of the Wabash towns in language something as follows: "Fellow citizens, a very talented young man will be here in a day or two to answer the speech I am now making to you. You will be notified of his coming by the length of his whiskers, which will arrive a day or two in advance of him."

When "Ike" learned what I had said it threw him into such a tempest of passion that he lost all control of himself, and fell down upon me in a torrent of personal abuse that did his party more injury than good. They were very intemperate and ill-considered. At that time Ike had not won any particular distinction. He was an ultra Democrat, and at that time a great hater of Abolitionists, but he subsequently removed to Milwaukee, Wis., and became an abolitionist of the ultra type, and succeeded in being elected to the Senate of the United States. This may seem somewhat

strange to my readers, but it is nevertheless true. He was in the Senate in 1850, at the time of the passage of the great compromise resolutions on the subject of slavery, and being entitled to the floor, gave place to Daniel Webster, whom everybody had come to hear. This was a remarkable exercise of modesty on Ike's part, to yield the floor to so small a man as Daniel Webster, of Massachusetts!

Ike was something of a pugilist, and a perfect Hercules in strength, and distinguished himself by administering a terrible flogging to an Irish lawyer, who is now one of the Supreme Judges of Wisconsin, whose name I will not mention, for he is a very excellent man and a good lawyer.

My dear friend Isaac P. Walker has gone to his last account. Ike was well connected and deservedly distinguished for his talent as a lawyer. I met him repeatedly at the Danville court, and was often engaged on opposite sides against him, and I always considered him as a foeman worthy of my steel.

ROBERT WILSON.

I WILL now take the liberty of introducing to the attention of my readers the name of one of the members of that celebrated session of the Legislature of 1836 and '37. I mean the name of Robert Wilson. I do not expect to devote to him but a very small space in these memoirs, but he is worthy of a much larger space than I can give him. I met him at the unveiling of Lincoln's statue, and had a long talk with him over the incidents of that session, and he made me acquainted with the fact that he had kept the run of the members of that Legislature, and that out of 105 members only fifteen at that period were living. It is melancholy to reflect what havoc time makes with frail humanity. All such men deserve to have their names and memories preserved. He told me that after the breaking out of the war, he went to Washington, and on meeting with Mr. Lincoln at the White House, he said to him, "Bob, you expect some appointment from me, don't you?" "Well," said he, "I do;" and after stating the office he courted, Lincoln said to him: "Bob, I have got something much better for you; I will make you one of the paymasters of the army." And he did, and Bob made an honest one; and no one has ever dared to question his integrity, fidelity or patriotism.

Bob is one of the *Long Nine* who represented Sangamon in the House of Representatives in 1836–'37.

ROBERT SMITH.

THE next name I propose to introduce is that of Robert Smith, who was a member of that celebrated legislature of 1836 and '37, to which I have so often referred. He was afterwards a member of Congress from the district including Alton, and no abler Representative did that district ever have than my friend Bob Smith. He was not a lawyer, but a man of talent and genius. He understood his part well—no man understood it better.

My acquaintance with Bob continued for many years after we had served together in the legislature. I remember that he gave me the most active and efficient support for the office of Attorney-General. I have nothing remarkable to record of friend Smith. He was not one of those blazing and erratic geniuses who take the world by storm, but he kept upon the even tenor of his way; was always at his post, and never stepped aside to aim a blow at an antagonist. He was emphatically a working member, as well while he was in the legislature as when he was a member of Congress. Bob made but few speeches, but made some very elaborate and able reports from the committees in which he served.

He was one of the most amiable and sweet-tempered men I ever knew. I don't think I ever saw him in a passion in my life.

He was perfectly familiar with all parliamentary law, and at home when a question of order was sprung upon the House. Though Bob was never Speaker, he was often called to the chair, owing to his readiness and promptness in deciding questions of order.

Bob died a good many years ago, but he has left behind a clean record and the name of an honest man as an inheritance for his children.

WILLIAM A. MINSHALL.

WILLIAM A. MINSHALL, of Schuyler county, was another member of that celebrated legislature which met at Vandalia in 1836 and '37. He was a lawyer, and a very able one, and at one time was judge of the circuit court of the military district. I knew him well, and have met him often at Springfield and Rushville. During the last years of our acquaintance he and Robert Blackwell, whom I have already sketched, were law partners in Rushville. Minshall I believe was a native of Ohio, and studied law with Judge McLain at the same time my old friend Justin Harlan was a student in the same office; and I have often heard Judge Harlan speak of Minshall in the most flattering terms.

Minshall, in his early days, and especially about the time he was married, was given to dissipation. He courted a most beautiful woman, and on proposing marriage to her, she promptly rejected him, on the strength of which Minshall got most gloriously drunk, and in his crazy mood put on seven clean shirts, and in that condition he went over to see her again, letting her know that it was impossible for him to live without her. The young lady, who was far from being

indifferent to the suit of Minshall, finally concluded that she would try and make a man of him, so she said to him: "Mr. Minshall, I will never marry a drunkard, and if I had a husband and he was to become one, I would leave him on the instant, if I loved him as I love my life; but I have come to the conclusion that I will marry you upon one condition: If you will reform your habits, and give me satisfactory proofs of the same, and make a solemn vow that you will never drink again. So now you go home and divest yourself of all those shirts but one, and come back in a month from now, and we will consummate this agreement."

Minshall gladly took her at her word, and after a month's probation he returned, took the vow, and they were married, and he religiously lived up to his pledge to the day of his death; and I know of no happier couple than they were in the whole circle of my acquaintance. He had the reputation of being one of the kindest of husbands and tenderest of fathers in the town where he lived. I have often been at his house, partaken of his hospitality, and my eyes never looked upon a more beautiful picture of domestic happiness than he and his family presented.

During his life I often met him at the Supreme Court at Springfield. His genial and amiable countenance I often recall to memory, and the many social chats we had together, and I can freely say that I don't know of any lawyer who was a much brighter or more shining ornament of the bar than William A. Minshall, of Schuyler county.

JOHN D. CATON.

JUDGE JOHN D. CATON is a name that could not well be omitted from these pages; and yet he needs no place here to make his name and fame more widely known than it now is. For twenty or twenty-five years he was one of the judges of our Supreme Court, and his written opinions, which are to be found in our judicial reports, are masterpieces of legal acumen and an imperishable monument of his legal learning and strong common sense. His opinions in equity cases would do honor to a Hardwicke or an Eldon. During his long career as lawyer and judge in this State, no one ever dared to impugn his integrity or call in question his impartiality. He was first appointed to the supreme judgeship by Gov. Thomas Ford, if I remember rightly, to fill some vacancy which had occurred; was subsequently elected to the same office by the legislature, and after the office was made elective by the people, he was again and again elected thereto.

There is rather an amusing story told of Judge Caton when the supreme judges were only receiving a salary of twelve or fifteen hundred dollars a year. He went into a grocery store, it seems, and purchased a very nice sugar-cured ham, and set it down by

the side of the counter and commenced a little confab with the grocer. While they were talking, a great shaggy ill-favored cur-dog came in and picked up the judge's ham and deliberately made off with it; but the judge was in time, and overtaking his dogship rescued his ham, giving his caninity several hearty kicks, and addressing him in language something like the following:

"You miserable——" with an adjective as strong as the dignity of a supreme judge would allow, which I will not repeat; "you are the meanest dog I ever saw, to come in here and steal the ham which has cost me my last dollar; don't you know that I am only receiving the pitiful salary of twelve hundred and fifty dollars a year? You are mean enough to steal the last piece of meat from the lowest shelf in a nigger's kitchen."

Judge Caton has always been a Democrat. I think he is a native of New York. He came to this State and located in Chicago about the year 1832 or '33, about the same time that Giles Spring settled in that place. I heard him give a most amusing narration at the lawyers' festival, held at the Pacific Hotel a year or more ago, of his and Spring's trials as young lawyers. He said that clients were few, fees small and money scarce. I think he said, I am not sure, that he and Spring, or one of them, kept his office on the head of a barrel down on the corner of Lake and Wells streets; but clients not making their appearance, and they being bound to have money to pay their hotel bills, they engaged to carry the chain for a surveyor on the North Side, where the weeds were tremendously

high and thick. He told the hotel-keeper where he could be found if any one came wanting a lawyer; "And," said he, "I managed to put Giles at the front end of the chain, knowing that if a client should come he would follow our trail through the weeds and I would be the first lawyer he would overtake. We hadn't been more than half an hour engaged in our work, Giles calling out "stick," and I answering "stuck," when a very genteel looking man came along on our trail, inquiring for a lawyer. I told him I was the man he wanted to see. I don't remember now what kind of a case it was, but suffice it to say, that the fee for those times was a very handsome one, and paid down all in silver."

Judge Caton's speech on that occasion was interlarded with many amusing and laughable anecdotes.

I presume it is known to most of my readers that Judge Caton has amassed a considerable fortune which did not accrue from his salary on the bench, but resulted from his prudent and wise investment of money in the purchase of telegraphic stock. He is perhaps worth to-day over a million of dollars. He is now master of his own time, and not bound in official chains to any government or party. He has recently made a tour through Norway, and has published a very handsome work, giving his observations on that people and country.

Judge Caton has never arrived at any very high position in the political world, but I will venture to say that were he called to the highest office in his State or nation he would fill it with honor to himself and advantage to his country. It is a pity we have not more such men.

J. L. D. MORRISON.

I SHALL next present my readers with the name of Col. J. L. D. Morrison, better known as Col. "Don" Morrison. I became acquainted with him about the year 1841 at Kaskaskia, where he was born, educated and raised until he went on board a man-of-war as a midshipman.

When I was introduced to him at Kaskaskia he was then a young lawyer, and had been but a short time at the bar. He was associated with me in the celebrated Vandeevers trial, of which I have spoken in the sketch I have given of the life of Joe Gillespie. He then lived at Belleville, St. Clair county. I am mistaken in saying that my first introduction to him was at Kaskaskia, for I was introduced to him at Nashville, Washington county, Ills., and from there we all went on horseback to Kaskaskia. "Don" is a cousin of Mrs. Judge Breese. The Morrisons are one of the oldest and most respectable families in Illinois, and lived in Kaskaskia during its territorial existence.

My readers are, I presume, aware that Kaskaskia is one of the oldest towns on this continent, being older than Philadelphia. It is situated at the lower edge of the American Bottom, the name given to a very rich

and fertile tract of country intervening between the Mississippi river and the bluffs east of it on the Illinois side, its upper limits being a little below Lower Alton—its average width being about six or seven miles. The soil is all alluvial, having been formed by deposits from the Mississippi and Missouri rivers. It is perhaps one of the most fertile and productive portions of our globe. I have never seen such corn grow in any other portion of the world I have ever been in. One hundred bushels to the acre is no uncommon occurrence, and it is equally prolific in other products. The largest and most delicious melons I ever ate were the growth of the American Bottom, and it is somewhat remarkable that it has never been settled by a very thrifty or industrious people, being mostly occupied by old Canadian French, as the names of their towns scattered up and down the bottom will sufficiently indicate. The current of the Mississippi at some remote period once ran close to these rocky bluffs, and a man can see some sixty feet above the level of the river or bottom, where its waters have worn away the solid rock. But I will not follow the current of the Mississippi any further, but will go back and take up my old friend Don Morrison.

Don was a Lieutenant-Colonel in the Mexican war, and fought with General Taylor in all his battles, from Palo Alto to Buena Vista. Don, on the day of the latter bloody battle, was laid upon the sick list at Saltillo, a few miles from there, but when he heard the cannon roaring, contrary to the orders of his surgeon and the commands of his superior officer, he mounted his horse and rode to the scene of action, where he

joined with Col. Bissell's regiment, and fought with them throughout the balance of the engagement. He gave me a description of that battle more graphic and interesting than any that I have ever had, either from books or human lips, especially that part of his narration relating to the manner in which our flying artillery played upon the Mexican army. He said that at a word or signal, the horses being detached from the cannon, would lay down flat upon the ground, when our artillery would open with grape and canister upon the enemy, producing such a scene of carnage, slaughter and death as he had no language to describe; when at another signal the horses would take their places, and ere the smoke had passed away the same artillery would be playing upon the Mexican ranks from another part of the field of battle. Said he: "Our men fought as perhaps no other set of men ever did fight, but it was our flying artillery that won for us the final victory."

"At one portion of the day Captain Bragg, who had charge of the artillery, was so hard pressed that he sent to General Taylor for reinforcements, when General Taylor and Major Bliss mounted their horses and promptly rode to where Captain Bragg was, and said: 'Captain Bragg, you sent to me for reinforcements, and I have brought you all I have, Major Bliss and myself.' 'What shall I do General?' said Bragg. Old Rough-and-Ready answered in a very quiet way: 'Give them a little more grape, Captain Bragg;' and Captain Bragg, taking him at his word, increased the amount of grape, which soon made the Mexicans glad to retire."

This I had from Col. Morrison's own lips. He told me that he was so sick that he could scarcely sit his horse during the engagement, but that he would sooner have died a thousand deaths than not have taken part in that memorable battle. And I take occasion here to say that in my humble opinion, no such victory, ancient or modern, was ever won.

We had only four thousand troops all told, and only four hundred of them regular soldiers, the balance being nothing but raw militia, while the Mexicans numbered over twenty thousand regulars, commanded by their renowned and favorite General, Santa Anna. He expected to literally chew and eat up old Zac. and his handful of men. Such a thing as defeat never crossed his mind. He had crossed the plains intending to steal upon old Zac. and catch him asleep; but old "Rough-and-Ready" was wide awake and prepared to receive him as far as it was possible for him to do so under the circumstances. I may have related it before in some portion of these memoirs, but I will relate it again as I got it from Col. Don. Morrison. In the darkest and gloomiest hour of the battle, some officer rode up to General Taylor and said: "General, our men are whipped — badly whipped." Taylor replied: "I know it, and have known it for the last hour or so, but our d—d fool boys don't know it, and they will fight on till they ultimately whip these Mexican devils, for they have not got the stamina of our Western and Southern boys;" and the General's prediction was not long in its fulfillment. They finally retired, leaving the victory with us; but it was a victory most sorely and dearly purchased, for it resulted in the loss

of such glorious men as Colonels John J. Hardin, Key and young Henry Clay of Kentucky, the son of the distinguished orator and statesman of that State.

Col. Don. Morrison, when I last saw him, was a man of fine personal appearance. He is a man of elegant manners and of a gallant and chivalrous nature. He married a daughter of Thomas Carlin, who was once Governor of this State. She was a highly educated, beautiful and refined lady. I don't know anything more of Don. necessary to be recorded; I therefore take my leave of him, having no doubt that posterity will take good care of his name and fame.

JOHN HOGAN.

THE Rev. John Hogan shall have the next place in these recollections. He was a member of the lower House of the Illinois Legislature which convened in 1836 and '37 at Vandalia.

He is a native of Ireland. He was originally a Methodist preacher and circuit rider, and, like all Irishmen, was gifted in the way of gab. He took a leading part in most of the subjects that came before our House. I remember that he was amongst the most prominent of the members of that body who embarked in our wild and mad schemes of internal improvement. I have already related in another place what he said in reference to the value of our bonds when they should be thrown upon the market, and of course will not repeat it here. He was the son-in-law of a little, old retired Methodist preacher by the name of West, and brother-in-law to the West who during the Alton riots ascended upon a long ladder to the roof of Godfrey & Gilman's warehouse and extinguished the fire which had been thrown there by the outsiders in the form of a blazing ball saturated with turpentine; and, strange to tell, Lovejoy and others of those inside came out and fired upon him as he was ascending the ladder

intending to do them a favor. West finally undertook to negotiate between those outside and those inside of the warehouse, and he did so. After the death of Lovejoy, John Hogan, as well as myself, was severely assailed and maligned for the part he took in attempting to settle and compromise matters between Lovejoy and his enemies. I know that he did all that mortal man could do to bring about peace between these hostile elements.

After John and I had served in the legislature together, I lost sight of him awhile, but he finally removed to St. Louis, Mo., and was elected as one of the Representatives from that district to the House of Representatives in Congress.

I fell in with John Hogan at Springfield, Ill., in 1874, at the unveiling of Lincoln's statue, and he and I and Bob. Wilson, all three members of that old and celebrated legislature of 1836 and '37, rode down together in the same carriage to the monument, and had places of honor assigned to us; and the reader may rest assured that we called up many reminiscences and recollections, some agreeable and some sad. It was upon this occasion that I learned from Wilson that he had kept the run of that legislature, and that out of a hundred and five members there were only fifteen living, of which Hogan, Wilson and myself made three.

John Hogan is a man of very fine social qualities, and as a popular speaker, possessed the faculty of interesting an audience and in gaining their attention and holding, it equal to almost any man I ever knew. He is quite a small man, of a very pleasant counte-

nance, and when young was quite a handsome man, but when I last saw him, I discovered that time and age had made sad havoc with his personal comeliness, as they had done with myself. He was a man of fine colloquial and conversational powers. Knowing nothing of my old friend John Hogan which might be of interest to my readers, I here respectfully take leave of him.

NATHANIEL BUCKMASTER.

I WILL now introduce the name of Nathaniel Buckmaster, one of my most beloved and highly esteemed friends. My acquaintance with him commenced in 1837, when I was in attendance on the Madison County Circuit Court, as Attorney-General, he being at that time sheriff of that county. No man that I ever saw prepossessed me more at first appearance than Nathaniel Buckmaster. He seemed to take me to his very heart and bosom on our first introduction, and we continued to be fast and steadfast friends to the very last day that I ever saw him. He was the most genial, social and convivial man I ever knew. He was not a lawyer by profession, but he possessed considerable talent. He was a native of Virginia, and possessed all the hospitable qualities of the people of that Old Dominion; and I recur to him now and the recollection of our friendly intercourse with the greatest pleasure. He has given me most substantial proof of his friendship.

He was a member of the State Legislature, and I think it was the Senate, prior to 1836 and 1837. He was acquainted with most of the distinguished men who figured in the State of Illinois, prior to my advent

into the State, and has narrated to me many interesting anecdotes and incidents connected with the lives and careers of those men that I cannot now recall, which would be of great interest to my readers if I could; but they know how frail is human memory, and must excuse me for not doing so.

Mr. Buckmaster for many years was sheriff of Madison county, and also warden of the penitentiary at Alton, and in all his official relations he sustained the character of an honest man and faithful public officer.

He was a man about six feet high, of a symmetrical form, and one of the finest dancers I ever saw, and he moved through the giddy mazes of the dance with a grace and elegance unsurpassed by any man I ever saw.

My readers must pardon me for introducing Col. Buckmaster into this work. He was my old and especial friend, and as I have been trying to write for their amusement, if not for their instruction, they will accord to me the privilege of introducing to them one of my dearest friends, whom I most sincerely love, of whom I will now take leave. He has long since gone to the Summer Land, where I trust all such men will go. If we meet again beyond this earthly sphere, in a better place than this, I hope to have a happy meeting with my old friend Nathaniel Buckmaster.

JAMES TURNEY.

THE next name I propose to present to my readers is that of General James Turney, who was one of our State Senators in the legislature of 1836 and '37, to whom I have already referred in connection with an affair of honor which occurred between a member of the house and myself. Gen. Turney was a much older man than myself, and got the name of General as I did, having been Attorney-General of the State some considerable time previous to my election thereto. He was a native of Tennessee, and connected with the talented Turneys of that State, some of whom figured conspicuously in the Congress of the United States.

Gen. Turney was a man of commanding eloquence, and of a very majestic appearance, especially when he addressed the Senate. No one could fail to recognize in a moment, when they heard him speak, that he was a man of considerable genius and talent. He never failed to command the most profound attention of the Senate, and at all times was listened to with the greatest interest. I remember when going on my circuit as Attorney-General of being told by Col. Buckmaster and others that such was the reputation which had

preceded Gen. Turney that a great many men indicted came in and confessed guilty, rather than stand a trial under his administration as Attorney-General. I have spent many long and agreeable hours with Gen. Turney. We elected him, in 1837, as one of the commissioners of the Illinois and Michigan Canal, which office he filled for several years. I was at his town—Carrollton—at the time of the Alton riots, Jesse B. Thomas being judge of that court. Gen. Turney's habits being then none of the best, he got me to take charge of his cases, which I did. I deem it unnecessary here to say anything more of General Turney.

E. G. RYAN.

THE next name I propose to introduce is that of E. G. Ryan, now one of the judges of the Supreme Court of Wisconsin. My acquaintance with him commenced at Vandalia, at that memorable session of the legislature of 1836 and '37. He was there in attendance upon the Supreme Court as a lawyer, his residence being then at Chicago; and I think I may say, without giving offense to any living man, there was no man then at the bar who could claim to be his superior.

Ryan is an Irishman by birth. He is a man of bad temper and tyrannical disposition. He fell out with Isaac P. Walker once at Springfield, and abused Walker in adjectives that but few men could stand, and Walker gave him a terrible flogging, which I presume he has not forgotten even to this day. Walker was a perfect Hercules in physical strength and power, and therefore it was no difficult task to administer this chastisement to Ryan.

Ryan was a most eminent and learned lawyer, and has to-day, perhaps, no superior on the Northwestern bench. I was introduced to him by Judge Theophilus W. Smith, of Chicago, but was never prepossessed with

him from the first hour of our acquaintance. He was a very sarcastic and disagreeable man. He strove to make everybody feel their inferiority to him and his superiority to them.

I lost sight of him for a good many years, but I learned in these later years, that Ryan sank into great indigence, and had actually to copy records and lawyers' briefs as a means of supporting himself and his family, but a little turn in fortune's wheel has lifted him to the Supreme Bench of the State of Wisconsin, where I trust he will long remain, for he is certainly a great judicial light, and whatever may be his faults, I take him to be a pure and honest man and an upright judge; and if these pages should meet his eye, I wish him to consider, in the language of Shakspeare, "that I have nothing extenuated, nor set down aught in malice." As E. G. Ryan has for a long time been a citizen of Wisconsin, I leave him to the care of the historians of that State, and those who may write up the biographies of its distinguished men, having devoted to him the space here given in consideration of his having once been a citizen of the State of Illinois.

WILLIAM C. GREENUP.

THE next name that I shall introduce is that of one of the oldest citizens of Illinois, and one of the first men of any distinction with whom I became acquainted after my advent into this State—it is that of Col. William C. Greenup. My acquaintance with him commenced in 1835, at my father's house, in the town of Greenup, and county of Coles, on the National Road, being then constructed from Terre Haute to Vandalia, to which I have already alluded in some other portion of these memoirs.

Col. Greenup was a native of Kentucky, and a nephew of old Gov. Greenup, of that State. He came to Illinois while it was a territory, and settled in Kaskaskia, and was Secretary of the convention that formed our first Constitution. He was a great friend of my father and mother, and also of mine. I remember very distinctly I sent down to the Supreme Court my license to practice law by the hand of Col. Greenup, dated the first of May, 1827, and received from them a license, authorizing me to practice in the State of Illinois.

At the time when I first became acquainted with Col. Greenup, he was the chief officer and Superintend-

ent of the National Road, and boarded and made his home at my father's house. The town of Greenup was laid out by him and Captain Barber, and named after my friend Greenup.

The Colonel was a perfect walking enclyclopædia of the early men of Illinois. Most of what I have learned of the men and events of Illinois prior to my acquaintance with them, I learned from Colonel Greenup. He was a man of the most remarkable memory I ever knew. He was not only acquainted with most of the eminent men of Illinois, but with a great many in Kentucky. For instance: The Wickliffes, the Hardins, Marshalls, Grundy and Rowan, and many others that I cannot now call to mind.

Colonel Greenup died many years ago. My acquaintance with him continued up to 1838, and our relations were always of a friendly character. I have given him a place here because he was prominent in the early history of our State, and took an active part in the formation of our first Constitution; and was honored by the secretaryship of that ancient body. I therefore make no apology for introducing his name into these memoirs.

DAVID McDONALD.

THE next name that I shall introduce to my readers is one that I have too long neglected, and should have had the first place, or nearly so, in the memoirs. It is the name of Judge David McDonald, late judge of the Federal District Court of Indiana. My acquaintance commenced with him many years ago. I know it was prior to 1856. A friend of mine had been sued in the Circuit Court of Vigo county, Indiana, Terre Haute being the county seat. The name of the plaintiff was Dumas Vanderen, and that of the defendant, my client, Ebenezer Noyes, both citizens of Coles county, Illinois. Noyes employed me to defend him, and authorized me to associate with me one of the most distinguished lawyers of Indiana, leaving the choice entirely to me. I had determined on employing Joe Marshall, of Madison, Indiana, and wrote him a letter to that effect, and got one of the most melancholy replies I ever received, telling me that it would have afforded him the greatest pleasure to have been associated with me in that case, but it was impossible, for he felt himself to be in a dying condition, and was about going South to try and recruit his health. At the term of the court to

which the case was set for trial, I got acquainted with Judge Hughes, the presiding judge of that court, and told him of my dilemma. He told me he thought he could introduce me to a lawyer that would exactly suit my purpose, and thereupon introduced me to David McDonald, who had for a long time been judge of the circuit on the circuit including Bloomington, Indiana, and who had also been professor, and lecturer of the law school in that place. From that time our intimacy and acquaintance commenced, which were of the most intimate character. I loved the man, and I think he loved me.

Somewhere about 1856 or '7 I received a letter from him desiring me to meet him at old Vincennes, stating that the Vincennes University wished to employ me in the prosecution of a claim of theirs against Samuel Judah, who as their lawyer had collected about forty or fifty thousand dollars, which he refused to pay over to them. I met him there at the time appointed, at a term of the Vincennes court set for the trial of the case. We only charged them the moderate sum of one thousand dollars apiece, they giving us a very handsome retainer. Judah, not being popular, took a change of venue to Sullivan county, where Judge McDonald and I attended for several years, prosecuting the claim of the University against Judah. We got, as well as I remember, two or three verdicts, which were reversed by the Supreme Court of Indiana; but the last one, which was for about nine thousand dollars, they permitted to stand.

I shall never forget the pleasant and agreeable hours which I spent with Judge McDonald at our hotel

while attending to this case. He was a warm friend and admirer of mine, and I most cordially reciprocated his friendship and admiration.

Judge McDonald was originally, when quite a young man, a preacher in the Christian Church, but he left them and became a member of the Methodist Church —not because he preferred their doctrines, but because he believed his own church had treated him badly, in which opinion I concurred.

He was a man of the most amiable and social disposition, a fair scholar, and one of the best special pleaders I ever saw. This connection of ours in the Vincennes-Judah case ran through several years. After that case was over, and I removed with my family to the city of Chicago in 1860, I was employed in a land suit in the District Federal Court of Indiana, of which court David McDonald had been appointed Judge by Mr. Lincoln. It is unnecessary to speak of the manner in which that suit terminated.

The last time I remember to have seen Judge McDonald was in Chicago, sitting by the side of Judges Davis and Drummond, on the bench of the Federal Circuit Court of this State. He had come to this city to be treated for a spinal affection by a magnetic and spiritual doctor. Whether true or not, he professed to have obtained relief from his manipulations, but it was not long afterwards when I heard of his death, which filled my heart with sorrow and grief. No man, lawyer or judge, in Indiana, was more renowned for his legal learning, integrity and impartiality, than his Honor, David McDonald, and my heart makes many a pilgrimage to his grave, and may the grass long grow

green thereon. If I thought that I was not to join him in a better state than this, I should regret having ever been placed on this low ground of sorrow and sin. He was an older man than myself, but I feel that the time is not long when I must follow him to "that bourne from whence no traveler returns." Peace be to his ashes! for he has left to posterity a name and fame embalmed in the hearts of his countrymen.

GILES SPRING.

GILES SPRING is a lawyer who located in Chicago in 1832 or 1833. He and Judge Caton were contemporaries in the practice of law in that city. The first time I ever saw Spring was at Vandalia, in 1836, during that session of the legislature to which I have so often alluded. He was there in attendance on the Supreme Court. He was a man naturally of very strong intellect, possessing rare powers of analysis, but of limited education. As a specimen of his deficiency in the latter respect, I will give a statement he made to the court in a case he brought down from Chicago. "May it please your Honors," said he, "the *hull* evidence in this case, as *sot* down in the record, makes a clear case in favor of my client."

But, notwithstanding his limited education, he seemed to be a sort of natural lawyer, possessing an intuitive insight into its principles and maxims. I have had it from the lips of very eminent counsel who are still living, that Giles Spring had no superior at the bar in his powers of analysis. He seemed to possess the faculty of looking through a case at almost a single glance.

I did not meet him again until about the year 1848,

at Springfield, Ill., the legislature being then in session, and I being a member thereof from the county of Coles. Giles was there attending upon the Supreme Court, and with several axes to grind by the legislature. During this session, Giles and I became peculiarly intimate, and I have the most lively and tender recollection of our intercourse at that time. I may have seen him again in 1854, when I paid a visit to Chicago, but of this I am not positively certain. I do not know the precise time of his death, only that he departed this life a good while ago.

He was a man of child-like simplicity of manners; as tender-hearted as a woman, and would have stepped aside to keep from treading on a worm. If he had his faults, their name was not legion, and whatever they may have been, I have no great capacity now for remembering them, and shall therefore leave them for some more malevolent historian than myself to record.

He was Circuit Judge of Cook county at one period of his life, and all the lawyers who have survived him, who practiced in his court, speak of him as one of the ablest judges that ever presided as judge of the Circuit Court of Cook County. He left three children, two of whom have gone to rest with their father. His son Edward, whom I have met, is married and living in Chicago. I have understood that his father left a very handsome property to his family.

I will wind up this sketch by saying what can be said of but few men, that I never met with any person who spoke an evil word of Giles Spring.

SAMUEL H. TREAT.

SAMUEL H. TREAT has been a presiding judge in the State of Illinois for over thirty odd years, part of the time on the Supreme Bench of the State of Illinois, and part of the time a Judge of the District Court of the United States for the Southern District of Illinois. In all the judicial positions he has held he has maintained a character for unblemished integrity and spotless honesty and honor.

I cannot fix the precise date when my personal acquaintance with him commenced, but I think it dates back to about 1843, or '44. I never knew him as a practicing lawyer, but only as a judge of the higher courts of our State and Nation. He was a sterling Democrat, and as true as steel to that great and noble old party, but he never suffered his politics to mingle in the slightest degree with his judicial opinions or deliberations. He was remarkable for his urbanity and suavity of manners, as well when off as when on the bench. If any person will read the reports of the Supreme Court of Illinois, they will find the opinions of Judge Treat to be the neatest and tersest of them all, and the nicest legal criticism will be unable to detect an error in the points he has made or the reasons he has brought to support them.

Judge Treat, as I understand, is a native of the State of New York. His elegant lady is a native of Virginia, and is closely connected with some of the oldest and best families of that renowned commonwealth.

Judge Treat is still living and resides at Springfield, Ill., where I think he has resided for the last twenty-five or thirty years, and he is still judge of the Federal Court, to which he is an honor and an ornament, and long may he live to adorn that station.

My acquaintance with him has been long, and our friendship of the warmest character. He was an intimate acquaintance and personal friend of Abraham Lincoln in his life-time, although they differed in politics. Judge Treat is now, with the exception of Judge Breese, one of the oldest judges in the State of Illinois. I think he is sixty-five or seventy years of age. He is a quiet, unambitious man, and precisely the kind of timber out of which judges should be made.

LYLE SMITH.

LYLE SMITH was a lawyer who settled in Chicago at an early day, and was decidedly, in my opinion, one of the prettiest and most eloquent speakers I ever heard. I met him in a Whig convention at Springfield, Ills., about the year 1844, and I think it would not be out of place to bestow upon him the compliment, paid by the "Old Ranger," Gov. Reynolds, to Henry Clay. When asked by some of his younger friends what he thought of Mr. Clay's eloquence, replied, as I have stated in another place, that "the only thing he could compare it to, if they could imagine such a thing, was fifty fiddles, all in full blast.

All that Lyle Smith wanted, was a more portly personage to make him one of the most commanding orators I ever heard. He was a very small man, falling considerably below the medium size, but possessing a voice like a trumpet, and as sweet and mellow in its tones as music played upon the waters on a calm summer evening. He did not figure largely as a lawyer, for the reason that he had no necessity to do so, being the owner in his own right of choice tracts of lands in

the State of Illinois, which he counted by thousands of acres, besides any amount of money which he called upon his father to supply, who was a wealthy capitalist in the city of Philadelphia.

I have been told that Lyle kept open house in Chicago to all his friends who came to see him from every point of the compass, whom he entertained with princely magnificence and elegance. He has long since gone to join the thousands of his contemporaries who have passed away, and we trust that he has not found the change disagreeable.

PATRICK BALLINGALL.

PATRICK BALLINGALL is the next name I shall introduce here, which I do with some reluctance, for the reason that I am not in possession of sufficient facts and materials to do him complete justice. A considerable number of his cotemporaries are still living in the city of Chicago, and they all speak of his talents and social qualities as being of the very highest order. I met him once or twice at Springfield, but had no opportunity of testing him further than as a social boon companion, who liked his friends and had the capacity of making them feel agreeable. He was a Scotchman by birth and education. He was Prosecuting-Attorney for Cook county at one time, and I have been told by lawyers who knew him in that capacity, that no abler or fiercer prosecutor had ever filled that office in Cook county. They speak of him in unmeasured terms of applause, giving to him the first place at the bar while on the theatre of this life, especially in the criminal department of the law.

I am truly sorry that I am unable to give any lengthier notice of my friend Pat Ballingall. This, however, must suffice. He has been dead many years, and I trust he is happy, wherever he may be.

GEORGE MANIERRE.

GEORGE MANIERRE, the next name that I introduce to my readers, is a lawyer of very old standing in the city of Chicago. He was on the bench of the Circuit Court of Cook County when I removed to the city of Chicago in 1860, where he continued to the time of his death, which took place, I think, some eight or ten years ago. He was a most excellent judge, a profound and deeply read lawyer, and had a character for unimpeachable integrity which he richly deserved. Slander itself never uttered a syllable to tarnish his good name and honesty as a judge. Bribery never dared to approach him. I never had a case before him without feeling the most unbounded confidence in his purity and intelligence. I believe the bar who knew him would unite to-day in saying, "We never had a more upright or intelligent judge."

He added to his learning as a lawyer an urbanity on the bench, with a courtesy which he extended to all his lawyers alike, whether old or young.

He was a man of very prepossessing appearance, rather inclined to corpulence, but still, nevertheless, of a very imposing presence, the chief element of which was, he always met you with a smile which beamed from his face like sunshine. He put on no false dig-

nity on account of his judicial position, but was eminently social, and conversed upon terms of perfect equality with all the members of the bar, and there was not one amongst us who did not love him as a brother.

I know nothing more worthy to be related of George Manierre, except that I have heard it said that he was the author of the first city charter of Chicago. He left a handsome estate to his family, and, what is better, an unsullied name and fame as a priceless legacy to his children, and there I leave him, knowing that posterity will take good care of his fame.

RETROSPECTIVE.

NOW, my worthy readers, pardon me, if you please, while I step aside to speak of the humble author of these memoirs, who has got them up for your amusement and entertainment, if not for your instruction. I think in the introductory part of this work I have brought myself up to my advent into Illinois in 1835. As I have already said, on the next year after my entrance into the State, I was elected to the House of Representatives in the State legislature of Illinois, from the county of Coles. On the 11th day of February, 1837, the legislature on joint ballot elected me Attorney-General of the State, over Benjamin Bond, who was a member from Clinton county. You may well imagine how a boy of plebeian stock would feel by being so soon elevated to so high a position. As the law then stood, it required the Attorney-General to reside at the seat of government, which law I am sorry to say I did not obey, but took my family to Alton, where we lived for a year or so—that family then consisting of my wife and self and a little girl about five or six years old. In 1838, we returned to Coles county, Illinois, and from that time up to 1860 I led a career of proud legal success on the

Wabash circuit which makes my heart now swell with pride when I think of it. I made hundreds and thousands of dollars on that circuit, and I spent it liberally; was not mean or penurious in its distribution; and I can lay my hand upon my heart and say that I never persecuted or oppressed an unfortunate man in my character of lawyer. I have met and fought the proud and rich oppressor on hundreds of legal battle-fields, and if any man will go to-day on my old circuit he will find the above statement to be true. I do not pretend to perfection, for I know that I am a poor, erring, sinful man; but whatever my faults may have been, and I know they have been rather grievous, I think my heart has always been in the right place, and I think that I shall leave to my children a character for integrity and charity of which they will not be ashamed; but it is not my business to be judge in my own case, and I therefore leave it to posterity to determine whether I have been a worthy man and lawyer or not; and with that decision I shall rest content. If poverty is a crime, then I have been a great criminal, and all I have got to say is to exclaim with the publican, "The Lord have mercy upon me a sinner."

I have been sixteen years in the city of Chicago, and during that time have attended to many cases in the various courts of law and equity, and I think the judges before whom I have appeared may be safely appealed to as to their opinion of my course as a fair and honorable lawyer; and I was never a candidate for any office during those whole sixteen years, unless it might be thought I was so when I presented my name a few years ago to the judges of the Circuit and

Superior Courts for nomination to the humble office of Justice of the Peace, which they failed to give me, and for which I have no complaint to make against them. That office would have given me a support in my old age; but as I did not get it, I utter no complaint, feeling perfectly assured that that Being who "tempers the wind to the shorn lamb" will take care of me and mine.

I have said enough about myself as connected with other names and incidents without saying any more in this place. If there is anything more to be written in reference to myself, I shall leave that matter to my friends and not undertake to applaud myself.

My worthy readers, in collecting the numerous names, and the incidents connected therewith, has been to me a very laborious and painful task; but I do not begrudge it to you if it shall furnish you with any entertainment or amusement. This work, humble as it is, is intended for the American people, and the American public, whom I sincerely love, and I trust in God they will long remain in the possession of their rights and liberties, and never forfeit them by any blind and heedless devotion to any mere popular name. I consider this nation as having been planted here by the fiat and will of Almighty God, and as having been preserved by his benevolence and power to the present day. We shall soon reach the hundredth year of our independence, and the doctrine of popular sovereignty still prevails; and every lover of his country feels that it is written upon every part of the stars and stripes of the glorious ensign of our liberties and independence, that we shall forever be a free

and republican government, and that all power dwells with and emanates from the people. I believe that the day is not far distant when the fires of republican liberty which has been lighted on these shores, will shed their light upon all the nations of the earth, and our glorious institutions be adopted by all the civilized nations of the world. Behold the progress of this nation, now only a hundred years of age, which started with three millions of people, and now numbering over forty millions, with more miles of railroads and telegraph lines than is possessed by all the nations of Europe; possessing an extent of territory and a fertility of soil sufficient to support and sustain twenty or thirty times the numbers that now dwell upon our soil.

APPENDIX.

BY HON. JOSEPH GILLESPIE.

BEN MILLS was a finished scholar, a perfect master of language, of a highly poetic imagination, and gifted with marvelous tenacity of memory. On his way out West from Massachusetts, his traveling companion, whose name was Wait, was a magnificent singer. They were wild youngsters, and spent their money in such a lavish way that they got "strapped" in Richmond, Virginia, and it became a very important question with them how they should "raise the wind." The idea struck Ben that he might do something in the way of preaching. His memory was stored with any quantity of splendid sermons composed by his father, who was one of the most eminent and eloquent divines in New England. Ben had acted as his father's amanuensis, and his splendid memory retained the substance of the sermons. On this occasion he contrived to let it be known in the right quarter that he and his companion were sent to perform missionary labor in the West. Mills was soon invited to preach, which he did with wonderful unction. His brilliant oratorical displays, coupled with Wait's unequaled singing, carried the congregation completely

away. The people were in ecstasies; space could hardly be found for their audiences. Richmond was in transports. From the accounts which I remember to have heard at the time, the excitement there was equal to that raised by Moody and Sankey. Now Ben hinted in one of his discourses that a little material aid would not come amiss, and instantly their coffers were filled. The proud old Virginians were not going to allow such apostles to go empty-handed to the work of converting the heathen. Mills and Wait managed as soon as possible to leave, and it was a considerable time before the Richmond folks found out that they had been sold.

Ben was unequaled in repartee. He was attending to a case once in Galena, and had for his client a black man; the opposite party was a white man. They agreed upon a compromise, and Mills went up to Judge Young, followed by the parties, and stated that they had compromised the case and desired that his Honor would enter the terms upon his minutes. The judge said he would pay no attention to any agreement unless it was reduced to writing. Mills, quick as lightning, pointing to the parties, said: "If your Honor please, here it is, in *black* and *white*."

Mills once joined a temperance society, and while he belonged to it a change took place in the style of drinking vessels—tumblers had been superseded by wine-glasses. Mills relapsed, and was accosted one day in a grocery where he was flourishing a small wine-glass in his hand, by David Prickett, who said: "Mills, I thought you had quit drinking." "So I have," said Ben, holding up his little glass, "*in a great measure.*"

A. W. CAVARLY, a member of the bar of Green county, interposed a general demurrer to one of Mills' pleadings, and sought thereunder to take advantage of some matter which could only be reached by special demurrer. When Cavarly discovered that he could only reach the defect by special demurrer, he insisted that *his* was a *special* demurrer because he had *underscored* parts of it. Judge Lockwood decided against him. At dinner the same day, at which the judge and members of the bar were present, Cavarly sent his plate to Mills to be furnished with what he thought was a cut of venison. Mills sent him a piece which Cavarly discovered was beef, and he remarked: "Brother Mills, I wanted venison, and you sent me beef." "Oh," said Mills, "*underscore* it, brother Cavarly, and that will make it *venison*."

Cavarly, who was not a very good scholar, used to pronounce the word *unique*, *you-ni-kue*. Some one asked Mills the meaning of the word as Cavarly pronounced it. Mills, putting on a grave air, said that it was the *female* of *unicorn*.

A good story is told of Cavarly, which may be mentioned in this connection, as illustrating the difficulty of getting any information from persons who are indisposed to tell what they know: Cavarly brought suit once against a man for immoderately riding a horse he had borrowed from the plaintiff, whereby the horse was injured, and he sought to make out his case by a witness who was clearly on the other side. The witness was an oily-tongued, smooth-faced chap, who wore an expression that was "*child-like and bland*." Cavarly called his witness to the stand, seeming to be

aware of the attitude of the fellow. Said he: "Witness, do you know Mr. So-and-so?" (the defendant).

"Yes, sir."

"How long have you known him?"

"Well, about ten years."

"Did you ever see him ride horseback?"

"Yes, frequently."

"Well, now, witness, I want you to state to the jury, under the solemn sanction of the oath you have just taken, how he rides."

Cavarly's object was to prove that he was a hard rider.

"Well," said the witness, "Mr. Cavarly, he always rides *straddle*."

Cavarly was very indignant, and said, "Witness, we all know that every man in this country rides '*straddle*.' We don't need to be told that by you. What we want to know is *how* he rides. How does he ride when he is in company?"

"Well, sir, he generally keeps up."

Cavarly's rage now knew no bounds. He called upon the court to protect him from the insolence of the witness, and said it must be apparent that the witness was trying to evade giving his testimony against the defendant. The court admonished the witness that he would have to punish him if he did not answer according to the spirit of Mr. Cavarly's interrogatories. The witness said that he was answering the questions and would answer the best he could.

"Now," said Cavarly, "witness, we don't want to know whether the defendant rides 'straddle' or not, or whether he keeps up when he is riding in company.

We want to know *how* he rides. How does he ride when he is by himself?"

"Mr. Cavarly, upon my word I can't answer that question, for I never was with him when he was by himself?"

This of course created a great laugh at Cavarly's expense, who berated the fellow soundly, who nevertheless pretended to be surprised to think that any one should suppose that he was not answering in good faith. Cavarly was obliged to dismiss the witness and also his case, although every one knew that the witness could have answered in the way that would have sustained Cavarly's case.

Mills was appointed by the House of Representatives to manage in the case of the proceedings for the impeachment of Judge Theophilus W. Smith, and he made an argument which would have reflected credit upon Prentiss of Mississippi—to whom he bore a very close resemblance in the structure of his mind. I heard the Hon. Cyrus Edwards, who was a splendid orator himself, and a frequent listener to Clay and the other luminaries of Kentucky, say that he never heard anything that surpassed the effort of Mills on that occasion. Many brilliant passages from his speech were memorized and quoted at the social gatherings and upon the streets. It was one of the most eloquent, finished and scholarly productions that ever fell upon the human ear. Smith had no fears of impeachment until after he heard Mills' speech; from that time he trembled in his boots.

Mills prosecuted Winchester in the trial for the murder of Smith, in Edwardsville. Grundy, who

defended Winchester, and who was the greatest criminal lawyer in the West, and perhaps in the world, denounced the prosecution for employing a man against his client, "before the force of whose genius truth, justice and law were in danger of succumbing." Not even the masterly powers of Felix Grundy could have saved Winchester had Mills not been a Yankee. Grundy rung the changes upon the crime of being born in New England. He thanked God that there was but one man on the jury who first drew his breath north of Mason and Dixon's line, and that man had lived long enough in the West to have thrown off the perversities of his Yankee nature.

It was at this period that the Yankees were so odious that they were preached about and denounced from the pulpit. A story illustrative of this is told of old "Daddy Biggs," a hardshell Baptist, who believed that wherever the word *sprinkle* appeared in the Bible it was a Yankee trick. He was preaching once about the richness of God's grace, which he said "*tuck* in the isles of the sea and the uttermost parts of the *yerth*." It embraced the Esquimaux and the Hottentots, "and some, my brethering, go so fur as to suppose that it takes in these poor benighted Yankees, *but I don't go that fur*."

JUSTIN BUTTERFIELD was a man of great ability. As a lawyer, perhaps, he had no equal in the State, and was remarkably felicitous in his method of expressing himself. He was asked whether he was in favor of the Mexican war or not. He said he had blasted his political prospects by opposing the war of 1812, and ever

since that time he had been in favor of *war*, *pestilence* and *famine*.

He was perfectly familiar with the scriptures, and used scriptural quotations and illustrations with great effect. While he was District Attorney, Ben Bond was U. S. Marshal, and one or two of his brothers were deputies, and were quite annoying to Butterfield, whose patience at one time was tried beyond endurance. He remarked to some one: "I would to God that not only thou, but also all that hear me this day, were both almost and altogether such as I am, *except these Bonds*."

David A. Smith, of Jacksonville, who had somehow incurred the displeasure of Butterfield, was sitting one day in the U. S. court room, sleeping, the sun shining upon his bald, sleek head. Some one directed Butterfield's attention to him, when he instantly exclaimed, in his gruff voice: "The light shineth upon darkness, but the darkness comprehendeth it not."

His happiest scriptural illustration was when he was defending the constitutionality of the Shawneetown Bank. The Constitution of Illinois of 1818, provided that there should be no bank except the State Bank and its branches, and also the banks that were then in existence. The Shawneetown bank was chartered before that time, but in 1835 its charter was extended. A writ of *quo warranto* was sued out against the bank, and in the argument it was contended by the counsel who sued out the writ, that the extension of the charter was in law and in fact the creation of a new bank. Butterfield was restive while this line of argument was being pursued, and he arose to reply with

an expression of contempt in his face. He said he would like to be informed by the gentlemen if they had met with it in their reading, which he very much doubted, however, whether when the Lord lengthened out the life of Hezekiah fifteen years, he had made a new man, or was he the same old Hezekiah?"

Of FRIDLEY, of whom Gen. Linder speaks in his memoirs, it might be said that he was one of the cutest men that ever lived. With hardly any education, he was a decided success in the courts and in the halls of legislation. His remark to the jury in the case where it was contended that the bill stolen by the defendant was not worth five dollars, as it was at a discount of two per cent., that as it was par for goods or labor, the defendant should not be allowed to steal it at a discount, is worth its weight in gold. At one time he was attending to a case before Judge Caton, and he was bringing up some question which had been decided against him, and the judge told him that if he wanted that question re-examined he must take it to a court of errors; upon which Fridley remarked, in an undertone, that if you would not take this court for a court of errors, he did not know where to go to find one. This sally was overheard by the judge, and it amused him exceedingly, and he often related it with great gusto.

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